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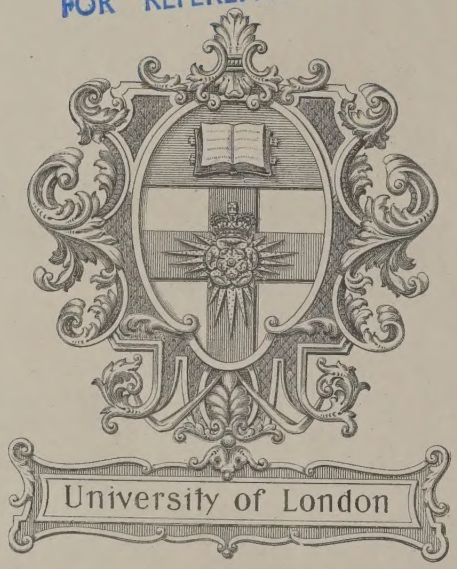

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REPORTS

FROM

COMMISSIONERS:

FIFTEEN VOLUMES.

—*(6.)*—

COUNTY RATES;

LAND REVENUES, &c.

Session

4 *February*——20 *August* 1836.

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REPORTS FROM COMMISSIONERS:

1836.

FIFTEEN VOLUMES:—CONTENTS OF THE

SIXTH VOLUME.

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REPORT

OF THE

COMMISSIONERS

FOR INQUIRING INTO

COUNTY RATES,

AND

OTHER MATTERS CONNECTED THEREWITH.

Presented to both Houses of Parliament, by Command of His Majesty.

LONDON:

PRINTED BY W. CLOWES AND SONS, STAMFORD STREET,
FOR HIS MAJESTY'S STATIONERY OFFICE.

1836.

REPORT OF THE COMMISSIONERS FOR INQUIRING INTO COUNTY RATES.

WE, the Commissioners appointed by Your Majesty's Commission, bearing date the 5th day of November, 1834, to inquire (among other matters) into the grounds of any total or partial exemption claimed by any place or places from the County Rate, and into the taxation and payment of the Costs of Prosecutions, with the charge, origin, and authority for, and the receipt and appropriation of, Fees and Emoluments of every description now claimed by the Magistrates in each county, city, town, borough or other place, or their Clerks, by Sheriffs or such like Officers, High and Petty Constables, Clerks of Assize, Clerks of Arraigns, Associates, Clerks of Indictments, Clerks of the Peace, and generally by all Officers concerned directly or indirectly in the local administration of justice, or in the charge of prisoners, throughout England and Wales; and to certify, from time to time, our several proceedings touching or concerning the premises, and what regulations respecting such matters aforesaid we should think fit to be established, now humbly report and certify to Your Majesty our proceedings concerning the premises in manner following (that is to say) :—

Nature and Origin of the County Rate.

Provision has been made from time to time, by various statutes, for defraying the expense of certain miscellaneous public objects, through the means of a local taxation, effected by the agency of the Justices of the Peace in their several counties.

The earliest of these statutes was of the 22d year of King Henry VIII., c. 5, by which the Justices were directed to tax on the inhabitants of parishes such sums of money as they might think sufficient for the repairing of bridges in decay. Subsequent Acts of Parliament provided, in a similar way, for the building and repairing of gaols and houses of correction, the relief of prisoners and other charitable purposes, and the passing of rogues and vagabonds. In reference to each of these objects the Justices in quarter sessions were by the several Acts directed to make a rate and assessment, for the particular purpose, upon all the parishes and places within their respective jurisdictions. But to facilitate the collection of these miscellaneous imposts, they were, by the 12 Geo. II., c. 29, consolidated into one; it being enacted by that statute, that the justices at their general or quarter sessions, or the greater part of them, should have power to make one general assessment for such sum or sums of money as they in their discretion might think fit, to answer all the different ends and purposes to which the antecedent Acts had severally referred, in lieu of the distinct and separate rates thereby respectively authorized.

The Act also directs that the churchwardens and overseers, after demand in writing made, shall pay out of the poor rates, to the high constables of the divisions, the sums rated and assessed upon their parishes respectively; and the high constables on receiving such moneys are to pay the same over to the county treasurer.

Such was the origin of the fund now called the *County Rate*, which, from the period of the Act last mentioned, has been subjected to a great variety of new charges, with a corresponding increase (of course) in the amount for which it has been levied.

With respect to the *proportions* in which the different parishes in each county have contributed to the levy, these long remained, without alteration, as they had been originally adjusted; and the 12 Geo. II. contains an express enactment that the rate should continue to be raised according to the former usual proportions. But the relative ability of the different parts of a county, in point of property, being, by the natural course of events, subject to great and continual fluctuation, an alteration of the law in this respect became indispensable; and it was accordingly provided by the 55 Geo. III., c. 51, that wherever circumstances should appear to require

it, the justices in quarter sessions should direct a fair and equal County Rate to be made for all the purposes to which the County Stock then was, or might thereafter be, made liable by law; and for that purpose should assess every parish and other place rateably and equally, according to a certain pound rate (to be declared by the justices) of the full and fair annual value of the messuages, lands, tenements, and hereditaments rateable to the relief of the poor therein.

By this Act it is also declared that the rate is to be paid by the *occupier* for the time being of the several estates and properties in respect whereof the same is imposed.

Under the general provisions of this statute, or under local Acts, valuations have at different times been made in the several counties in England and Wales, with the view of equalizing the proportions in which the property of the different parishes should be assessed to the County Rate. But the valuations now acted upon are in very few instances of recent date,* and in eighteen counties it appears that they are founded on assessment to the property tax made more than twenty years ago.

Amount of County Rate, as compared with Local Taxation in general, and with Value of Property charged.

The actual amount of the County Rate as compared with the whole mass of local taxation, and with the value of the property charged, is a point to which it seems not improper to advert, though it does not fall strictly within the scope of our Commission. The amount received by treasurers of counties for the year ending 25th March, 1833, is stated by the Select Committee of the House of Commons † at £757,238; the whole sum levied in the same year for Poor Rate and County Rate together, being £8,606,501.

The County Rate would thus appear to have been about eight and three-quarters per cent. of the whole levy, and its proportion to the Poor Rate about 2 to 21. Of the whole levy it is stated that five-eighths are raised from the land, and the remainder from dwelling-houses, mills, factories, navigation, and manorial property; and that the proportion borne by the land, of the County Rate, separately considered, would not be materially different. It is, however, to be remarked, that the land appears to contribute to a larger extent than it ought to do in proportion to the other subjects of taxation; there being reason to believe that the relative valuation of the latter is in general much too low.

The general incorrectness of the valuations, as applied to the existing state of property, makes it impossible to determine from them correctly the proportion borne by the County Rate to the actual annual value of the lands and tenements which are the subjects of taxation. It will appear from a table in the Appendix ‡ that the County Rate levied in 1834 for the whole kingdom amounted on an average to threepence in the pound, if the same valuation be taken as that for the property tax in 1815. The great depreciation of landed property since that period leads of course to the conclusion that the proportion of the rate to the existing value of the realty must now be much higher; but to what precise extent it is so, we have not the means of ascertaining. It appears, however, that in the West Riding of Yorkshire the sum raised for County Rate in the year ending 7th of April, 1834, amounted, upon a new and correct estimate for the Riding made in the year at two-thirds of the real value, to $4\frac{1}{2}d.$ in the pound.§ We find, too, that it was stated before the Select Committee of the House of Commons that, upon a valuation made for the county of Lancaster in 1829, the levy in 1833 amounted to about $4\frac{3}{4}d.$ in the pound.‖

The amount expended for County Rate in England and Wales increased from 1792 to 1832 to the extent of 148 per cent.¶ The amount in 1834 was £693,747.**

The charges to which the County Rate is at present subject, may be arranged under twelve principal heads, the enumeration of which will be found in the particulars of expenditure for 1834, printed in the Appendix to this Report.†† Considerably more than half the entire amount consists of charges connected with the repression of crime.

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* Appendix to Report of Select Committee of House of Commons on County Rates—Finance, p. 26.
† Report of Select Committee of the House of Commons on County Rates, vi.
‡ See Appendix C, p. 1*a*. § Evidence of Mr. Lee before this Commission, Appendix A, Q. 44.
‖ Appendix to Report of Select Committee of House of Commons on County Rates, Mr. Birchall's Evidence, Q. 79.
¶ Report of Select Committee of House of Lords on County Rates, p. 275.
** Appendix C, p. 2*a*. †† Ibid.

The inquiry committed to us does not, however, embrace the entire subject of the County Rate expenditure. In a direct view, it relates only to that portion of the charge which is incurred in the shape of fees and official emoluments, and to some other specific and detached subjects. But we have found it essential to the satisfactory discharge of our duty to take a wider range than these topics at first sight indicate; they have led us collaterally to the consideration of the whole subject of the expenditure in prosecutions, and of other important matters from which they cannot be conveniently disjoined.

The Subjects proposed for Consideration in this Report.

The results of our investigation we proceed to lay before your Majesty, under the following heads:

I. The Expenditure for Prosecutions.

II. The Fees and Emoluments received by certain Officers concerned in the Local Administration of Justice, but charged on the County Rate under other heads than that of Prosecution.

III. The Privilege claimed by certain Towns, Districts, and Liberties of being exempt from Contribution to the County Rate.

And in conclusion, we shall take occasion to submit some observations on certain collateral topics, not capable of being conveniently considered under our general division.

I. Expenditure for Prosecutions.

Prosecutions.

1. The charge for Prosecutions, when viewed in reference to the combined considerations of its actual amount, its progressive tendency, and the complex and technical character of its details, possesses a paramount interest and importance. Its amount, though not equal to that for "Gaols and Maintenance of Prisoners," is, next to this, the most considerable. In 1834 it appears, upon the returns made to this Commission, to have amounted to £131,416. 2*s*. 2*d*.,* which is upwards of one-fifth of the whole expenditure.

It is to be observed, however, that its real proportion was greater than would appear by the returns; for the head of "Prosecutions at the Assizes and Quarter Sessions" does not comprise the whole expenditure incident to the criminal proceedings. It is exclusive not only of the charge for conveyance of prisoners to and from gaol before trial, and for gaols and maintenance of prisoners before and after trial, but of other items also from which it cannot with any convenience or propriety of division be severed. We allude to the fees payable to clerks of assize, clerks of the peace, and other officers, in respect of acquittals and orders for transportation, or committal to hard labour in lieu of transportation. The amount of these (as far as we have been able to collect) is about 9 per cent. upon the whole expenditure for prosecutions.

It is also to be observed that, in particular counties, the outlay under the head of Prosecutions is in a much larger proportion to the total charge than that above stated. In the West Riding of Yorkshire it amounted in 1833 (exclusive of acquittal and transportation fees) to £11,655. 14*s*. 10*d*., out of £43,997.†

Increase of the Charge, and its Causes.

The increase under this head from 1792 to 1832 was no less than 359 per cent.,‡ a circumstance so remarkable as naturally to excite anxious inquiry into its causes. To arrive at correct views on this subject, it is necessary to advert to the several Acts of Parliament by which the charge for Prosecutions has been from time to time imposed and regulated.

The charge itself had no existence till the year 1752. In that year was passed the 25 Geo. II., c. 36, reciting that many persons had been deterred from prosecuting for felony, upon account of the expense attending such prosecutions, (which was a cause of the encouragement of theft,) and providing that upon every conviction for felony, the court should have power, upon consideration of the circumstances of the prosecutor, to order the treasurer of the county to pay him such sum as the court should think reasonable as a compensation for the expense, loss of time, and trouble incurred in carrying on the prosecution. By the 27 Geo. II. c. 3, a similar provision was made in favour of poor persons appearing upon their recognizance as witnesses. By the 18 Geo. III., c. 19, the enactment was extended to witnesses appearing on subpœna, and the allowance was directed to be made to prosecutors whether the prisoner was convicted or acquitted, and to witnesses whether any bill of indictment was preferred or not. It was also provided that the prosecutors and witnesses should obtain their expenses without any re-

* See Appendix C, p. 2 *a*.

† Mr. Lee's Evidence before this Commission, Appendix, A, Q. 1, 11, 16.

‡ Report of Select Committee of House of Lords on County Rates, p. 275.

striction as to the poverty of their circumstances. By the 55 Geo. III., c. 50, (commonly called Mr. Bennett's Act,) the prisoners were relieved from the fees formerly payable by them on acquittal or discharge by proclamation, and the amount was directed to be paid by the treasurer of the county. By the 58 Geo. III., c. 70, the rewards theretofore given by Government to prosecutors, under various Acts of Parliament, in the several cases of highway robbery, coining, burglary, house-breaking, and sheep-stealing, (and which in these cases went in lieu of the county allowance for the expenses of prosecution,) were repealed; and it was provided that all prosecutors and witnesses on subpœna or recognizance should receive allowance from the county for their loss of time and trouble, and for their expenses incurred, not only in carrying on the prosecution, but in preferring the indictment and attending before the grand jury. By the last Act passed on the subject, viz., the 7 Geo. IV., c. 64, the principle of compensation to prosecutors and witnesses at the expense of the county, is carried still further than by any of the preceding regulations. The court is empowered to include in the order for reimbursement the expenses which the prosecutor and witnesses have severally incurred in attending before the committing magistrate, as well as those connected with the indictment and subsequent prosecution; and the reimbursement of expenses and allowances for time and trouble is sanctioned, not only in the case of felony, (to which the former Acts had been confined,) but in the following cases of misdemeanor also, viz., assault with intent to commit felony, attempt to commit felony, riot, misdemeanor for receiving stolen property, assault on a peace officer or his assistant in the execution of his duty, assault in pursuance of a conspiracy to raise wages, obtaining property by false pretences, exposure of the person, perjury, and subornation of perjury.

The Committee of the House of Lords observe, in reference to the increase in the expenditure for prosecutions from 1792 to 1832, that the advance in population in the same period was from 55 to 60 per cent. only, and infer that the increase of 359 per cent. must be in a great measure assignable to other causes. Reference is then made to the 58 Geo. III. cap. 70, and much of the expense is conjecturally attributed to the operation of that Act. This opinion will appear by the subjoined tables to be perfectly correct. But the Committee do not appear to have adverted to other causes which it is also necessary to take into the account. It is a remarkable fact that the increase in crime has been in a much greater ratio than that of population. As a proof of this, it appears * that the population of England and Wales was, in 1821, 11,978,875, and in 1831 had increased only to 13,894,574, which is about 16 per cent. On the other hand it will be found † that in 1821 the whole number of persons tried for crime in England and Wales was 13,115, and in 1831, 19,647, which is an increase of nearly 50 per cent. From another source ‡ we learn that in the West Riding of Yorkshire the population had increased in the ten years from 1814 to 1824, 38½ per cent., and the expenditure for prosecutions in the same period 260 per cent.; in the next ten years, ending 1834, the population had increased 15½ per cent., the expenditure 35½ per cent. At an earlier period a still more remarkable comparative advance in crime occurs. It took place suddenly, soon after the peace, and is to be attributed, no doubt, to the discharge of large bodies of persons from employment at that period. The number of trials, which in 1816 was only 9,091, sprung up in the single year next following to 13,932, making an increase in a twelvemonth of 53 per cent., that is 60 per cent. among the males, and 24 per cent. among the females. It is plain, therefore, that in attempting to account for the immense augmentation in the expenditure for prosecutions since 1792, we must make large allowance not only for the increase in population, but for the fact that crime has multiplied in a much greater ratio. After giving full weight, however, to these considerations, much of the increase in expenditure during the last 40 years must unquestionably still be attributed to the 18, 55, and 58 Geo. III., and the 7 Geo. IV., and that of the last 20 years to the three latter statutes; the effect of which has been to charge upon the County Rate a considerably larger proportion than formerly of the cases prosecuted, and also to make it bear in each case a greater share of the whole expenses of prosecution.

With respect to the first of the more recent Acts, (viz., the 55 Geo. III.,) the returns of that period do not contain the materials for showing with precision its effect, as they do not in general exhibit the amount of the separate charge for acquittal and proclamation fees. But it appears, from tables in the Appendix, that

* Porter's Tables, Part III., p. 435, No. 385. † Ibid., p. 478, No. 409.

‡ Information derived from Mr. Lee, Treasurer for the West Riding of Yorkshire.

the amount now paid by the counties for these fees to clerks of assize and clerks of the peace is about $1\frac{3}{4}$ per cent. upon the total charge for prosecutions as there exhibited, that is about $1\frac{1}{8}$ per cent. as regards the assizes, and $1\frac{7}{8}$ per cent. as regards the sessions. There is an addition to be made to this for the like fees payable to the Judge's marshal and crier at the assizes, and which are not included in the tables. Our materials for ascertaining its amount are imperfect, but we will state it conjecturally at about $\frac{1}{8}$ per cent. more.* The addition, however, made by the 55 Geo. III. to the whole expenditure for prosecutions must have been considerably greater at the time that it passed than at the present period, the amount of that expenditure having in the interval considerably increased.

The 58 Geo. III. c. 70, having thrown for the first time upon the counties the expense of prosecutions in the numerous cases in which conviction money had been formerly paid by Government, and having also sanctioned, in all cases, a more ample allowance, must have contributed in a much greater degree than the 55 Geo. III. to the increase of the county expenditure. Some means of estimating its operation are afforded by a fact which we have ascertained from Your Majesty's Treasury, that in the year 1817 (just before the passing of the Act) there were 760 prosecutions in which bounties were paid on conviction. In further illustration of the same point we subjoin a table,† by which it appears that in the first year in which the Act came into full force, the total charge on the County Rate for prosecutions (as returned from 37 counties) was greater by 31 per cent. than in the year immediately before it passed. But the result cannot be more precisely stated; for the number of prosecutions on which the expenditure arose at these periods does not appear upon the printed returns, and there are now no means by which it can be ascertained.

As to the 7 Geo. IV. c. 64, there are only 27 counties the returns from which are complete enough to afford materials for calculating its effect. But it appears by those returns,‡ that in the year in which it first came into full force, (as compared with the year before it passed,) there was at the assizes an increase of 30 per cent. in the county expenditure, 22 per cent. in the number of cases, and 6 per cent. in the average expenditure per case; at the sessions, an increase of 71, 44, and 18 per cent. in the same particulars respectively. It is to be observed, however, that the increase in *number* cannot be ascribed altogether to the Act in question, but must have resulted in part from other causes: for it is only misdemeanors of certain descriptions that the Act first brought into charge; and it has been ascertained from other sources,§ that the usual average proportion of such offences does not exceed one in ten of the whole number upon which the county expenditure arises. It should also be remarked that though, upon the general result, the average cost of each case advanced to the extent above stated, yet there were several counties in which the advance was much less, and others in which there was even an abatement. The explanation of this appears to be, that long before the passing of the 7 Geo. IV. c. 64, it had been the *practice* to allow the prosecutor, out of the county funds, a large proportion of the expenses prior to commitment in cases of felony. In such counties, therefore, little or no effect would be produced by the new regulation so far as regarded that head of allowance; while on the other hand, the average expense per case might be reduced in particular counties by the rarer occurrence of such prosecutions as are of a costly nature, or by other accidental causes.

But the inquiry into the progress of the county expenditure for prosecutions is attended with more interest as it respects the more recent period which has elapsed since the passing of these Acts of Parliament; and as during that time no new legislative enactment has occurred to affect the amount of the charge, its progress may also be estimated with greater certainty, so far as the ordinary causes of expense are concerned.

In this view we thought it desirable, soon after the appointment of the Commission, to call for certain returns from the county treasurers from 1829 to 1834 inclusive; that is, down to the latest period of which the accounts could then be collected. The information required has been obtained from a great majority of the treasurers, though in other cases the attempt to procure it has failed. The returns which have been transmitted show a great variety in the progress of expenditure in the different counties during the period in question; but in a collective view they exhibit the following results:

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* A Return made by the Treasurer of South Notts to this Commission states the acquittal and proclamation fees taken by the Clerk of Assize in five years at £106; those by the Judges' marshal and crier at £25. 12*s.* 6*d.* † See Appendix C, p. 7*a*. ‡ See Appendix C, p. 8*a*.

§ See Appendix to Report of Select Committee of House of Commons, 33, 40.

The total number of prosecutions in the English counties (taking assizes and sessions together) increased, during the three years from 1832 to 1834, (as compared with the similar period from 1829 to 1831,) to the extent of nearly eight per cent.* The increase of expenditure was in a less ratio, and did not much exceed three per cent.; the reason of which we find to be that the proportion of cases taken to the sessions for trial (where the proceeding is much cheaper than at the assizes) was considerably larger than during the former period. At the assizes, separately considered, there was an increase in the average expenditure per case of nearly four per cent.; and at the sessions also an increase, though to an extent too trifling to deserve notice.

In the Welsh counties the results are not materially dissimilar.

Means of checking or retrenching the Charge in future.

The charge for prosecutions being so considerable and so continually progressive, much interest attaches to the inquiry by what means it may for the future be checked or retrenched.

Any expedient founded on the principle of reducing the fair measure of compensation for expense, time, and trouble allowed to the prosecutor and the witnesses, would, in our opinion, be opposed to justice and to sound policy. The course of legislation on this subject has been already shown to have lain uniformly in the opposite direction. It seems to have been the object of the later enactments to give a complete remuneration to the individuals engaged in prosecuting crime, for the whole money, time, and labour reasonably bestowed by them in the performance of that public service; and we think it evidently right and expedient that nothing short of this should be awarded. It is clear, however, from the evidence, that in a general point of view, the remuneration in fact obtained does not exceed, but falls within, this limit.

The only means of relief in this branch of the expenditure which would be at once legitimate and effectual, are those which have in view the prevention of crime, and a consequent diminution in the number of prosecutions; and those which tend to shorten and cheapen the course of criminal proceeding, and therefore to lessen the expense and the consumption of time for which prosecutors and witnesses require to be compensated.

Upon mature consideration of the facts brought before us in the course of our inquiry, we have no doubt that the most operative, and the only constant cause of increase in the charge for prosecutions, has been the continued multiplication of crime, occasioned, of course, in part by the advance of population, but resulting also in a great measure from the influence of other causes, upon which it does not fall within our province to dilate.

Improved Rural Police recommended.

For this, as well as for other reasons, the greatest attention is due to the suggestions addressed from various quarters to the Commission as to the expediency of establishing an improved rural police.

The police establishment for the country (so far as ordinary purposes are concerned) consists in general of a constable for each parish or township, elected to serve for the year. He is most commonly an uneducated person from the class of petty tradesmen or mechanics, and in practice is usually nominated by his predecessor on going out of office. No inquiry takes place into his qualifications or fitness for the office, and indeed he is said to be often the person in the parish the most likely to break the peace.† So common is it for the constable to be unable to write or read, that an improper fee is often charged upon that ground by the magistrate's clerk:—"*for making out the constable's bill for conveyance to gaol.*"‡

"The manner of appointing constables, in my opinion, might be advantageously altered," says a correspondent, "for the court leet jury and steward being irresponsible parties, and the jurymen not liking the burden themselves, often appoint persons of bad character, and sometimes for the purpose of keeping them off the parish."§

If respectable persons are sometimes chosen at the leet, they "find substitutes for a small sum, and these deputies blunder through the year, and when they are most wanted are never to be found."‖

Entirely ignorant of his duties when first appointed, the parish constable is often displaced at the end of the year, when his acquaintance with them is, perhaps, beginning to improve. Even when suited in other respects to the employment, his efficiency is always in a great measure impaired by the nature of his position with regard to those among whom he is called upon to act. Belonging entirely to their class, and brought into constant contact with them by his ordinary occupations,

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* Appendix C, p. 6*a*. † Shute, Q. 420. ‡ Appendix B, Day, 96.
§ Ibid. Sir B. Leighton, 135. ‖ Ibid. Furley, 129.

he is embarrassed in the discharge of his duty by considerations of personal safety, interest, or feeling, and by an anxiety to retain the good will of his neighbours.

When all these circumstances are considered, it would be surprising if the constables were found to render satisfactory service. In point of fact they are deficient in zeal and activity to a degree which it is difficult to exaggerate, and it may be said, without undue severity, that they are in all respects utterly unfit for the duties to which they are appointed.

The accuracy of this statement we believe will be generally admitted by those who have opportunities of becoming acquainted with the subject by personal observation. It is at all events fully supported by the evidence before us; and is indeed little more than a summary of the complaints which we have received from various quarters relative to the state of the parochial police. "No person can be aware," says the Treasurer of the West Riding of Yorkshire, "of the reluctance shown by the parish constables in apprehending felons, particularly since the disposition shown by the lower orders to retaliate by committing destruction on their property. There is not a single constable," he afterwards adds, "who dares move, nor has he any encouragement to move; and if he does move, he is quite incompetent."*

"We cannot go on in the country," says another witness, "with our present police. When there is the least danger we are obliged immediately to call out the special constables."† "The present system of police," says another, "is unsound. The present parochial police consists of a constable in each parish, who is annually elected; who, as soon as he knows his business, is liable to be removed, and frequently is removed; who is in a situation of equality and fellowship, &c., and has very often to make his election between violating his duty as a constable, and forfeiting the regard and affection of his neighbours." "The great end of police is to prevent crime," is the remark of another gentleman of great experience on this subject: "who ever heard of this being the object of the present force? They are worse than useless."

It is the deliberate opinion of a very valuable correspondent, that our constabulary system has greatly promoted the increase of crime; that no useful improvement can be introduced into the present miserable system of attempting to exercise police through parish constables annually elected. "Our constable system is so absurd and unjust that I really do not think it fair or equitable to blame or deride the unfortunate conscripts who are compelled to be tithingmen; if I did, I could compose a farce with the anecdotes to be collected of petty occurrences in the warfare with offences in this neighbourhood,—neglect of duty, forgetfulness, ignorance, blunders, cowardice without excuse, supineness," &c.‡

Opinions similar to these are expressed by many other competent witnesses whose communications are inserted in the Appendix to this Report. Indeed the current of evidence as to the decayed and worn out state of the parish constabulary force, is irresistibly strong.

The defects of the present constabulary force are the more striking when viewed in contrast with the improved system of an organized and permanent police as established in the metropolis, and in some other parts of the kingdom. Not only in London and Westminster, but in several other places where that method has been adopted, it has been attended with the most satisfactory results, and we are not aware of a single exception to the remark. Its effect in the case of the Barnet Association, established in 1813, is fully described in the course of one of the examinations taken under this Commission. After stating that it extends over eight entire parishes, and partially over five more, the Secretary of the Association declares that after a trial of 22 years he "can speak of its success most completely," and says, that "it has fully answered its end; so much so, that the subscription increases every year, and there are not now many persons above the rank of yeomen who are not members of it in that extensive circle." He also states that "the Association is very popular, that neighbouring parishes seek to be admitted into it, and that it is taken as a model by others."§ Of the Cheshire Constabulary Act another witness states that "though the system was not liked by the rate-payers at first, on account of the expense, it has now worked itself into favour, and been found most efficient."‖ Another correspondent, a magistrate of Oxfordshire, states, "It is in contemplation to establish a regular police in this district by subscription, similar to that established at Stow-in-the-Wold, which has been productive of the best results."¶ But the most striking testimony as to the salutary operation of a regular system of police in the particular districts

* See Q. 77. † Broadrick, Q. 148, 153. ‡ Appendix B, Sir George Rose, 91.
§ Dimsdale, Q. 568. ‖ Appendix B, Wilbraham, 94; and see C. H. Leigh, 93. ¶ Ibid. Lechmere, 136.

where it is established, is borne by those who describe its effects upon other parts of the country not enjoying the same advantage. "The police of London," says the Treasurer of the West Riding of Yorkshire, in his examination before the Commissioners, "has driven all the rogues into the country. We are inundated with them. The police not being uniform for the whole country, but more active in some parts than others, has driven them down to the rural districts."* Another gentleman, a magistrate of the Riding, observes, "We cannot go on in the country with our present police. The thieves are driven now out of the great towns which have effective police, and it is impossible for us to go on with parish constables."† "I have heard," says another witness, "that a great many vagabonds are driven away from Barnet into the neighbouring parishes, and that the neighbouring parishes have suffered in consequence."‡ "The activity of the Metropolitan Police," observes another, "causes increased depredations to be committed within a circle of from five to ten miles beyond their precincts."

"The vigilance of the police in cities and large towns," observes a Worcestershire magistrate, "has driven the worst characters to infest small towns and villages, where, I am sorry to say, there is a total want of police or protection to property. In the market town of Pershore the police force consists of two drunken cobblers, being the deputies of two nominal constables annually elected from the class of shopkeepers."§

"Systems of police," says our Hampshire correspondent, "are rapidly and happily starting up in the large towns, in imitation of London; but in the country there is no other known and legal means but that of the parish constable or tithing-man; and yet in that institution, whatever it may have been formerly, in very different times, there is not one principle of vitality or exertion. Whilst there has been everything to increase crime in Great Britain, from increase of luxury, fluctuation of employment in manufacturing districts, increase of wealth, and incredibly increased facilities of motion and communication, we, by continuing to oppose Alfred's tithing-men to offence, in its incalculably augmented power and means, have marvellously favoured its progress."‖

It seems, therefore, upon the whole, unquestionable, that the establishment throughout the kingdom of an improved police, to act in lieu of the present parochial constables and other local officers of the peace, would tend very powerfully to the more effectual prevention of crime. We believe too that there is no other measure by which that great object could be so effectually promoted. It would not perhaps be *essential* to a plan of this description that the new police agents should be appointed by Your Majesty's Government, or that they should compose a collective force, the different branches of which should co-operate with each other, as occasionally required, or that they should be subject to the regulation of a central board. It is obvious, however, that any given number of persons so organized would act with incomparably better effect than if distributed into separate parochial or district establishments, each acting exclusively for a particular place, and subject to a distinct local regulation.

It may appear, upon the first impression, that any plan for improvement in the general police, whether upon the local or central principle, would be attended with too much expense to be advantageously adopted. But in order to ascertain the true value of that objection, we must take into the account the heavy charges which now result from the want of proper regulation on the subject in question. By giving great encouragement and facility to crime, it proportionably swells the expenditure, and that not only under the head of prosecutions, but of gaols and maintenance also, which amounted, in the year 1834, to no less a sum than £222,786.¶ It is obvious, indeed, that its effect must be felt under all the heads of charge connected with the prosecution of crime, and these collectively comprise (as already stated) more than half the entire expenditure from the County Rate. To the inefficiency of the present police are also to be attributed many charges on that fund for damages from tumultuous assemblies, and for damages sustained at elections; and many of the expenses incurred by individuals in procuring the assistance of a police officer from the metropolitan or from some other establishment, to detect offenders; in employing watchmen or guards to secure their property from depredation, and in subscribing to voluntary associations for the prevention or prosecution of crime.

But the present system is not only expensive from its incompetency to its proper object—it is in itself of a very costly character. In this remark we

* Appendix A, Q. 78, 79. † Ibid., Q. 148. ‡ Ibid., Q. 502.
§ Appendix B, 117, General Marriott. ‖ Ibid., 91, Sir George Rose.
¶ Ibid., 121, B. C. Cator.

principally refer to the manner in which the constables are remunerated. The payments made to them under the County Rate appear on the face of the accounts to be comprised under the different heads of "High and Special Constables," and "Conveyance to Gaol." Under these heads respectively the charge was,

	In 1792.	In 1832.	Increase per Cent.
Constables	£659	£26,688	£4,338
Conveyance	£4,865	£25,201	£525

Under the same heads collectively the charge amounted, in 1834, to the sum of £45,036.* But the receipts of constables are in fact of much larger amount, and a great portion of them are derived from funds unconnected with the County Rate. They receive remuneration from four different sources—from Government, (in the shape of rewards and the expenses of search and apprehension under 7 Geo. IV. c. 64,) from the County Rate, from parishes, and from individuals. It would seem that, at common law, constables were required to serve without fee or reward; they are, however, now entitled by statute in certain cases to remuneration. The Acts of Parliament which chiefly bear on this subject are the 3 Jac. I. c. 10, (altered by 27 Geo. II. c. 3,) 18 Geo. III. c. 19, and 41 Geo. III. c. 78. These Acts charge upon the County Rate the expenses reasonably incurred by the constable in carrying an offender to gaol, where he is himself unable to defray them; and they provide that where a constable incurs expense in doing the business of the parish or township, he shall be remunerated out of the Poor Rate, or if he has a warrant directed to him as a special constable, out of the County Rate. But these provisions are not judiciously framed. It is often not easy to ascertain whether an offender committed to gaol has the means of defraying the expenses; and when the commitment is for trial only, and his guilt still questionable, it seems scarcely compatible with justice, to throw that burthen upon him. It is also very difficult to determine what is meant by "business done for the parish." It has been twice adjudged† by the Court of King's Bench, that a prosecution conducted by a constable in a case where the public interest required an example to be made of the offender did not fall within that definition, and the claim of the officer on the parish for reimbursement of his expenses was disallowed. It is to be observed too, that (with the exception of the latter statute) the enactments refer only to *charges incurred, or sums expended,* and it is questionable whether they authorize compensation to the officer in any case for his time and trouble. And as regards the latter statute, (41 Geo. III. c. 78,) a question has more than once been raised, whether a petty constable could enforce payment of an allowance under it, as it is not compulsory on him to execute the warrant out of his own constablewick or parish; and, strictly speaking, he cannot enforce payment for doing a voluntary act. This state of the law operates injuriously to the public, in more than one direction. Constables are sometimes deterred from making proper exertions by the uncertainty how far they are entitled to remuneration for them; while on the other hand the vagueness of the law often enables them to make improper and unreasonable charges. Thus they are frequently paid by individuals for extra exertion in search and apprehension, though it has been decided that it is contrary to their duty to claim remuneration for such services. In addition to their official receipts, regular and irregular, we must also take into account the payments made to constables as witnesses in prosecutions, both at the assizes and sessions; and when all these circumstances are fully weighed, there seems great reason to believe that the total charge on the public in respect of the officers, though hitherto it does not appear to have excited much general attention, is in fact of very considerable magnitude. "The constables' expenses," says one of our correspondents, "being charged upon more than one public fund, the gross amount of what is paid to constables escapes observation."

Upon the whole, then, it seems very doubtful, when the economical disadvantages attendant upon the present system of police are fully appreciated, whether the establishment of an improved method is open to objection upon the ground of its superior expensiveness. The present cost of *non-protection* is thought by one of our most intelligent correspondents to be much heavier.‡ "All circumstances taken into consideration," remarks another, "I think the actual expenses would be less. The County Rate would not be lower, but the cost of *justice* would be less."§ Mr. Hume observes: "I am confident that the objections taken with regard to expense would be found groundless in comparison with the benefits to

* Appendix C, 2 *a*.

† R. *v.* Bird, 2 Barnwell and Alderson's Reports, 522. R. *v.* Saville, 5 Barn. and Ald. 180.

‡ Appendix B, 91, Sir George Rose. § Appendix, A, Q. 427.

be derived, and the saving which would arise under other heads from that precautionary and preventive system.*

The expenditure could not fail at least of being better applied, and if the direct burthen were augmented, the public would be more than compensated by the increased security to person and property, the diminution in the number of offences, and the consequent reduction in all those charges which are connected with the prosecution of crime.

The ordinary fees allowed to petty constables are said to be—†

	£.	s.	d.
For the oath of office	0	1	0
For the service of any warrant at the instance of the parish (if served in the parish)	0	1	0
For every mile beyond the limits of the parish	0	0	6
If beyond the distance of five miles, and not exceeding a day's journey	0	5	0
For every journey of one day or more, per day, including all expenses	0	10	0
For attending the bench of justices at their petty sessions	0	1	6
The like at their general or quarter sessions (including expenses)	0	10	0
Attending the coroner with notice of a death	0	4	6
Summoning a jury, and attending the inquisition	0	6	8
Expenses of the jury	0	10	0
Billeting of soldiers	0	0	0
Pressing of waggons for soldiers' baggage	0	0	0
Attending on a search night, or at a fair in the parish	0	2	0
Attending to see that shops and public houses are shut during divine service on Sundays	0	0	0
Attending on the day of election of a member of Parliament, *unless paid by the candidate*	0	5	0
For conveying a felon or other prisoner to gaol, when the parish is liable to pay the expenses (including expenses)	0	10	0
Making a list of jurors to return to the session	0	0	0
Verifying the same	0	1	0
Making out a list of persons to serve in the Militia, or any other military force	1	1	0
Verifying the same	0	1	0
Summoning any person balloted in the Militia, &c.	0	1	0
Service of any poor's rate summons	0	0	4
Attending as a peace officer within the parish on any public occasion, or at any execution of any sentence on any criminal	0	2	6

The allowances to constables vary in different counties in what is given for time and mileage, and in the dietary for prisoners and constables, as will be perceived by a table in the Appendix to this Report.

The magistrates have at present no power to remunerate the constables out of the County Rate for *searching* after accused persons, or *apprehending* them, or *maintaining them prior to commitment*. The statute 7 Geo. IV., c. 26, s. 22, sanctions an allowance to prosecutors and witnesses for *attending before* the examining magistrate, but has no reference whatever to expenses antecedently incurred. Nor can even the expenses of attendance before the magistrate be legally claimed except a commitment takes place.

"Two persons were apprehended, with a considerable quantity of lead in their possession, by an active officer in the parish of Bedminster. The lead had been stolen from a house 22 miles from the parish in which these persons were apprehended, who were taken before the magistrates and remanded. The constable made two journeys to the parish from whence the lead had been stolen before he collected sufficient evidence to justify the magistrate in committing for trial. Nothing could have been more praiseworthy than the conduct of the constable. The evidence obtained through his instrumentality was, on the trial, perfectly conclusive as to the guilt of the prisoners, who had long been the terror of the neighbourhood in which they resided; yet the bench at quarter sessions had not the power of ordering the repayment of expenses incurred by him, or of compensating him for his loss of time."‡

"A case lately occurred of a constable apprehending a felon late on Saturday night, whom he kept in custody until the Monday following, and then brought him several miles to my house. The felon was committed to prison, and the constable was many shillings out of pocket in maintaining and guarding the prisoner, without any means of reimbursement."§

"A hawker was robbed; two constables, after considerable difficulty, secured the offender, who was brought before a bench. The prosecutor did not appear, having been heard to say he was alarmed at the probable trouble and expense he might be put to. Of course the offender was discharged. The constables could not be reimbursed their expenses, amounting to about 40*s*., which were, on investigation, very reasonable."‖

"Some men rushed through a turnpike-gate (where a toll for foot-passengers

* Appendix A, Q. 855. † Chitty's Burns' Justice, 811. ‡ Appendix B, Miles, 124.
§ Ibid. Northmore, 113. ‖ Ibid. Yorke, 132.

was payable) without payment, knocking down the gate-keeper, &c. The gate was in the parish of A, close to the confines. The keeper called on the nearest constable, who lived very near the gate, in a village of the parish of B. No constable or other inhabitant of A resided within a great distance. The constable applied to pursued the men, and took them in the parish of C. He incurred altogether a good deal of expense. The men were wanderers, without money or effects. It does not appear, although the man acted under the verbal directions of a magistrate, (not myself,) that he can recover the money expended from either of these three parishes."*

"The magistrates," says Mr. Bayley, clerk of assize of the Northern Circuit, "frequently include in the expenses of proceedings before them the expenses of apprehension and the costs for unsuccessful searches These of course will be taxed off; the former dealt with according to the statute, the latter disallowed *in toto*."†

This want of provision for the expenses of search after persons accused of crime has a tendency to impair the useful zeal of magistrates as well as constables. A correspondent furnishes the following striking instance: "In the case of a murder committed in this division last year, that of Mr. John Richardson at Banstead, the magistrates, from the great interest excited independently of their own sense of duty, were compelled to make long and fruitless search for the offenders,—to examine many persons taken up on suspicion (without their authority), and incur inevitable expenses. There was no commitment. The consequence was that the magistrates acting paid nearly £120 for discharging their painful duty, there being no fund out of which the expenses can be paid."‡

Another case is stated in which the magistrates guaranteed the constable his expenses, finding that he scrupled to execute the warrant because he had no one to look to for reimbursement, the prosecutor being unable to pay.§

"Some time since," observes another correspondent, "four persons were brought before me on a charge of arson, and the evidence then given led me to remand the prisoners, in the full expectation that a link or two in the chain of evidence, then wanting, would in a day or two be supplied, to enable me to commit them for trial. I was, however, disappointed, and the persons were discharged; and the expenses incurred in this investigation were defrayed by contributions in the neighbourhood."‖

"Upon inquiry into a charge of highway robbery it became necessary," says another correspondent, "to employ *regular* officers to obtain information and to discover the parties charged. In the course of ten days three prisoners were in custody; the circumstantial evidence was strong, but the night was so dark that no one could swear positively to the persons of the prisoners. My brother magistrates concurred with me in thinking we should best discharge our duty by calling upon them to find bail. The day after their discharge I had bills sent to my house by the police officers for their expenses, and from the parish officers belonging to the cage where the prisoners had been confined pending the examination for their *keep*. These bills I had no means of discharging, except out of my own pocket; but, had we committed them, acquitted or not, these expenses would have been paid."¶

We cannot but consider the want of provision, above pointed out, as a serious defect in the system of criminal law. Sound policy and justice require that the fair and reasonable expenses incurred in the pursuit and apprehension of offenders should be defrayed out of a public fund. These items, however, like all other expenses charged upon the County Rate, should be subjected to an intelligent, and vigilant control; or many searches would be undertaken without motive or prospects of success, and great abuses practised. Indeed, it was stated to us by Mr. Bayley, clerk of assize for the Northern Circuit, that he had reason to believe that where such charges are allowed by the judge, in certain specified cases at the assizes, demands are constantly made for journeys never performed and expenses never incurred.

There is one mode of payment to constables of the most indefinite nature, and very rarely sanctioned by law,—their bills upon parishes. "These bills," it is observed by a very intelligent correspondent, "are practically limited only by the conscience of the officer."** They are hardly ever objected to by the vestry, and if they are the magistrates have no rule of law by which they can decide them.

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* Appendix B, Paynter, 93. † Appendix A, Q. 1007. ‡ Appendix B, Baron de Tessier, p. 125.
§ Ibid. Ward, p. 134. ‖ Ibid. Warry, p. 127. ¶ Ibid. 119, Wilson. ** Ibid. Day, 96.

These bills sometimes contain charges upon the parish for conveying to gaol.* There is reason to believe that constables have sometimes received the county allowance for the same service, and thus have charged their expenses twice over."†

This sort of abuse is fairly attributable to the inadequate means afforded by the law of requiting the services of the officer even when he is found to be active and meritorious. Not being secure of a regular and sufficient reward, and aware that what he is to receive depends very much upon his own management, he is sometimes driven to irregular and improper modes of charge, and contrives to obtain in respect of one service a double remuneration, as his amends for being left without remuneration in respect of another.

A sum in gross is sometimes demanded of the parishes, and it is said that those who want to see the particulars must go to the constable's own house. Very considerable sums, it is believed, are expended in this manner by the parishes, not only without any previous scrutiny, but without any particular account being afterwards furnished. "If," says the correspondent above quoted, in whose sentiments upon the subject we fully coincide, "for the present inefficient, and too frequently corrupt, management of these local funds, the administration of them could be vested in a respectable body, upon an extended scale, instead of in almost irresponsible individuals in petty localities, the advantage that might be expected, I am satisfied, is great."‡

Thus it will be seen that the objections to the present parochial constabulary force go, beyond their inefficiency, most strongly also to their mode of payment, which, while their charges are declared to be "unlimited, and, indeed, under the present system, unlimitable," is yet not such as effectually to secure their services.

We shall dispose briefly of the numerous complaints which we have received as to the wrongful acts of constables. The frauds, extortion, embezzlement, and pillage practised by these officers, are the natural consequences of their situation. They charge for assistants when they are accompanied only by their own wives, or by poor labourers to whom they pay the common farmer's day wages, receiving the county allowance and retaining the difference. They charge for carriages, when they compel prisoners to walk to gaol. They receive the full mileage for all the witnesses attending a prosecution, and contract with coaches to carry them at half price. They receive their allowance for time and trouble, and often keep back a part. They pass stolen goods from hand to hand, so as to make as many of themselves as possible necessary witnesses at the trial: and, what is matter of most serious charge against them, they withhold, and it is said in many instances appropriate, the money and other valuable property found upon persons apprehended

We have before us a letter from the keeper of Reading gaol, stating: "I am frequently defeated, and the county defrauded, by policemen pertinaciously withholding (' when not required for the sake of identity') money taken from prisoners on their apprehension, which, I submit, ought to be delivered into my custody with the parties, thereby enabling me to comply with the Act 4 Geo. IV. c. 64, s. 10. The Oakhill burglars had near 90 sovereigns on them when captured, which the police refused to deliver up, even after the quarter sessions had made an order to that effect. Of course I should have deducted sixpence per day for their maintenance during the time they were in my custody: consequently the county sustained a loss of £8. 1*s.* for diet, and £9. 15*s.* 2*d.* for travelling expenses."

"I now offer to the Commissioners,"§ says our zealous Hampshire correspondent, "the conclusions to which I have come, after acting about forty years as a magistrate, with opportunities afforded, by long and frequent residences in other countries from early youth, of comparing our institutions with those of others; and it is precisely in the means of apprehending offenders, the main features of the police, that we are I should say ludicrously, if it were not lamentably, deficient. The increase of crime could, I am perfectly sure, in the country at least, be materially checked by a police duly paid and organized. The essential remedy is the institution of a general rural police on the principles of that of London. No great number of men will be wanted: I should think that from two to five in each division of a county would suffice."

Another correspondent observes very forcibly: "A system more unjust, more

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* Appendix B, Day 97. Enclosures, E 1, E 3.
† Appendix A, Dimsdale, 520.
‡ Appendix B, Day, 96.
§ Ibid., Sir George Rose, 91.

inefficient, and at the same time more extravagant than that under which parochial affairs in England have been hitherto generally administered, could hardly be devised. No effectual and therefore economical service can be obtained in any department without adequate remuneration. On the present unpaid system of parish officers great oppression as well as inefficiency prevails. Since the Government persevered, in spite of the most insane and violent clamour, in establishing a good system of police for the metropolis, I indulge a hope that they will not do less for the country. The advantages are self-evident: a combined system of operations, an efficient body of policemen, (all able to read and write of course,) the *same men* continued in office during good conduct, and increasing every year in efficiency, would be substituted for the present absence of all system, and for a set of persons who are in office for one year only and that unwillingly, and a large proportion of whom cannot even read a summons or other paper, much less copy one in case of need. A good system of rural police would prevent many of the disorders which occur, and would greatly check more serious offences—incendiarism especially."*

"That something must be done," observes a Surrey correspondent, "is, I know, the opinion of many resident country gentlemen, who feel that when that excellent measure, the new Poor Law, shall be in full force, at the same time that it raises the honest labourer, it will drive the idle and worthless to live by crime, when he finds relief stopped to him."†

The establishment of a permanent and organized police in the metropolis has led to a remarkable diminution in the number of offences in the suburban districts. In London and Westminster we have no means of ascertaining the effect of the new system; but in the county of Middlesex at large the number of persons charged with criminal offences in 1835 was less by 17 per cent. than in 1834; while in Essex there is an increase of about 8 per cent.; and in Kent the increase amounts to 15 per cent.‡

Upon the whole we see reason for recommending with confidence the establishment of a rural police for the prevention of crime, in lieu of the present inefficient and ill-regulated parochial constabulary system. To enter into any discussion as to the best mode of organizing such a force, or as to the comparative advantages of a central or local plan, or whether the introduction of the measure should be general or partial in the first instance, would be manifestly to step beyond our province. But we have no doubt that such a force (of whatever it may consist, or however it may be organized) should be *permanent;* that the men should be paid by *salary* only; and that such salary should be charged on not more than one public fund.

It is not merely by repressing crime, however, that we may hope to restrain or reduce the expenditure for prosecutions. Much may no doubt be also effected by such improvements as tend to diminish the expense of criminal proceedings.

The cost of a prosecution, individually considered, is of an amount to excite surprise. It should be estimated not merely from the prosecutor's bills, as has usually been done, but from the whole outlay comprised in our tabular analysis; and even then the computation (as already explained) is by no means complete. But according to that analysis, the average expense throughout the kingdom of trying a single prisoner at the assizes (with the exception of the home circuit, where the proceeding is much cheaper) is more than £20, and in some counties it is as high as from £30 to £50. At the sessions it is about £8. In particular cases, it occurs that as much as £500 is paid upon a single assize prosecution.§

Particulars of which the Expenditure for Prosecutions consists.

As a preliminary to economical regulation, it is obviously essential to be fully and accurately in possession of the *particulars* of which the charge in question is composed. Upon this subject, however, the information that had been obtained prior to the issuing of this Commission was vague and defective. We therefore found it necessary to procure from the different clerks of assize and clerks of the peace throughout the kingdom, returns properly adapted to this important purpose, and we have condensed these materials into tables exhibiting an analytical view of the particulars under this branch of expenditure.‖

The first general head of charge upon the County Rates are the expenses before the committing magistrate. These are certified by him to the clerk of assize, (in the case of assize prosecutions,) and to the clerk of the peace, (in the case of prosecutions at the sessions;) and upon the authority of such certificate the charge is

* Appendix B, Paynter, 93.
† Ibid. Dyer, 101.
‡ Home Office Circular. Criminal Offenders, England and Wales.
§ Evidence of Mr. Lee before this Commission, Appendix A, Q. 25.
‖ See Appendix C, p. 9*a*.

allowed by these officers. The particulars of charge authorized by law under this head, are the travelling expenses of the prosecutor and witnesses in attending the examination; an allowance to them *per diem* for trouble and loss of time; and the fees paid by the prosecutor to the magistrate's clerk. The proportion the magistrate's certificate bears to the other expenses of a prosecution is about 15 per cent. both at assizes and sessions.* The fees paid to the justices' clerk for warrant, recognizances to prosecute and give evidence, &c., (including, in some places, a charge for copies of depositions, whether required or not,)† form about 40 per cent. of the amount of the certificate in ordinary cases.

The next general head is that for expenses subsequent to commitment, and prior to conviction or acquittal. These are divisible into the following particulars:— travelling (or mileage) of the prosecutor and witnesses; compensations to these persons respectively at so much *per diem* for their trouble and loss of time; payment to attorneys and counsel and fees to officers, including clerk of indictments' fees for preparing the indictment; bailiff's fees for attending witnesses to be sworn in court, taking them to the grand jury room, &c.; and court fees to the clerk of assize, criers, and bailiffs, &c., for swearing witnesses, discharging recognizances, and other proceedings during the trial. There are also some occasional and comparatively trivial charges for the carriage of heavy or bulky articles stolen, and required to be produced on the trial, and for the carriage of depositions, &c.

The items which have been mentioned under these two general heads, constitute what is generally termed the prosecutor's bill of costs. For the amount of them the clerk of assize, (on the circuit,) and the clerk of the peace, or chairman,‡ (at sessions,) signs and delivers to the prosecutor or his attorney an order payable by the county treasurer out of the County Rate; and the authority for charging that fund with the amount, is to be found in the several statutes the provisions of which have been already stated and commented upon.

A third general head of charge in the tables, consists of fees payable on conviction or acquittal and discharge by proclamation. These are claimed, as we have already noticed, by the clerks of assize and clerks of the peace on every order for transportation, order for committal to hard labour in lieu of transportation, and acquittal or discharge by proclamation. They are not payable by the prosecutor, and therefore form no part of his bill. But the amount accruing to the officers at each assize or session is paid to them by the county treasurer upon a separate order.§ The acquittal and proclamation fees, which used formerly to be payable by the prisoners themselves, were made a charge on the County Rate, as already stated, by the statute 55 Geo. III. c. 50. Those claimed on conviction are defrayed out of the rate, pursuant to long custom sanctioned by the authority of an Act of 19 Geo. III. c. 74.‖

The proportion these items severally bear to each other, will be most readily seen by the following Synopsis or Centesimal Table: for the minute dissection of the returns on this subject, we must refer to the Tabular Analysis contained in the Appendix to this Report.¶

	At County Assizes.	At County Sessions.	At Borough Sessions.
Expenses certified by committing magistrates	15.15	15.36	15.29
Attorneys' charges or allowances	14.19	19.28	20.46
Payment to counsel and clerk	9.21	7.87	13.17
Fees to clerk of the indictments	2.06	2.26	4.05
Fees to clerk of assize, or clerk of the peace, and subordinate officers, prior to conviction or acquittal (exclusive of clerk of indictments)	3.05	6.36	11.76
Fees to clerk of assize or clerk of the peace subsequent to conviction	3.92	8.28	10.13
Fees on acquittal or discharge	1.72	1.92	.98
Fees to judges' officers, including crier	1.87	..	..
Bailiffs' fees	.45	..	..
Carriage and postage of depositions and copies of depositions	.10	.02	..
Loss of time and maintenance of witnesses and prosecutors Travelling expenses and mileage of ditto	47.26	37.89	23.44
Other charges not included under any of the foregoing heads	.95	.68	.66

Besides these charges, which constitute the whole amount comprised in our Tabular

* See Table, *infra*. † Report of Select Committee, Commons, Tindal, 116.
‡ See Evidence of Payn, Commons' Report, iii. 16, 19.
§ Report of Select Committee, Payn, 17, Bellamy, 25.
‖ See Fleetwood *v.* Finch, 2 H. Bl. 220. ¶ See Appendix C, p. 9*a*.

Analysis, there are others also which fall upon the county fund in the course of a prosecution; but which, not coming under the cognizance of the clerk of assize or clerk of the peace, are not included in the tables. We refer to the fees on orders of transportation, and committal to hard labour in lieu of transportation, and acquittal or discharge by proclamation, claimed *by the Judges' marshal and crier;* and the expenses of conveying, confining, and maintaining prisoners before and after trial. The former charge is of too inconsiderable a character to have justified the troublesome inquiries which would have been necessary to ascertain its exact amount; but it would be sufficiently allowed for, we conceive, by adding three-eighths per cent. to the total expenditure comprised in the tables. The authority on which it rests is the same as in the case of the like fees payable to the clerks of assize and the peace; and a separate order is drawn for the amount upon the county treasurer. As to the charges for conveyance, confinement, and maintenance of prisoners before and after trial, they belong, according to the usual arrangement, not to the head of "Prosecutions," but to those of "Conveyance of Prisoners," and "Gaols and Maintenance," and "Conveyance of Transports." Under those heads, their amounts are comprised in the General Table of Receipt and Expenditure for the Year 1834, contained in the Appendix to this Report.* But they are not of a nature to be conveniently capable of reduction into the Tabular Analysis. They form a charge on the County Rate by the several Acts of 11 and 12 Will. III. c. 19; 32 Geo. II. c. 28; 14 Geo. III. c. 59; 24 Geo. III. c. 54; 4 Geo. IV. c. 64.; 5 Geo. IV. c. 85; and 5 and 6 Will. IV. c. 38.

From the account above given of the particulars which constitute the charge for prosecutions, it may be collected that they resolve themselves into the two general divisions of *Allowances* and *Fees:* the former comprising mileage, compensation for time and trouble, and payments to attorney and counsel; and the latter the fixed dues payable to officers concerned in the administration of justice.

Allowances.

With respect to the Allowances at assizes and quarter sessions, it is provided by 7 Geo. IV. c. 64, s. 2, that rules may be framed respecting them by the court of quarter sessions, which, when sanctioned by the approbation of one or more of the judges of assize, shall be binding on all persons concerned. This provision has been generally acted upon; and regulations so framed exist in almost every part of the kingdom. The method prescribed by the Act appears, however, to be attended with some inconvenience. The judges are found sometimes to entertain views on the subject of allowances widely at variance with those generally adopted by the magistrates, and have refused in some instances to sanction the scales which the latter have proposed. The result in several cases has been that the subject has been allowed to remain without legal regulation; in others that a compromise of opinion has taken place, and rates have been established with which neither party was entirely satisfied.

For the regulation of the allowances before the committing magistrate there exists no legal provision. In many counties tables have been constructed for his guidance, but they have no binding effect in point of law. The general course of practice, where there are no tables, appears to be to follow the scale prescribed for the assizes or sessions.

The allowances fixed for the assizes are generally higher than those at sessions, as will appear by tables in the Appendix.† For this difference, so far as regards the mileage or rate allowed per mile for travelling, we can see no good reason. But as regards the allowance per diem for time and trouble, (which involves the consideration of maintenance and lodging also, though these matters are not in terms provided for,) a higher scale becomes necessary at the assizes, in consequence of the greater dearness of accommodation and provision during that period. So with respect to the payments to counsel and attorney, it seems reasonable to allow for them more liberally at the assizes, because the cases are in general more difficult and important in their nature than those taken to the sessions.

The rates of allowance in different counties, as exhibited by our tables, will be found to be very various, and that to a degree greater than can be well accounted for by any difference in local circumstances. Thus the travelling is paid in different places at the different rates of 3*d.*, 4*d.*, 4½*d.*, 6*d.*, and 9*d.* a mile; the day's allowance at 2*s.*, 3*s.*, and 5*s.* for the sessions; 3*s.* 6*d.*, 5*s.*, 7*s.*, and 7*s.* 6*d.* for the assizes. And a great variety also occurs under the head of counsel and attorney, who at some sessions are not allowed for at all; at others only upon a certificate from the committing magistrate; at others are allowed for universally.

* See Appendix C. p. 2 *a*.

† Appendix, Part II.

Upon the whole, therefore, the subject of allowances seems to stand in need of better regulation; and the course that we recommend is to provide for it by Act of Parliament. The Act should lay down proper scales or tables in reference to the proceedings not only at assizes and sessions, but to those before the committing magistrate, and should contain regulations calculated to enforce their observance. The tables ought to observe, we think, some gradation in adjusting the rate of allowance to the rank and circumstances of the individual. In the present practice no attention is paid to this point. With the exception of persons belonging to the three learned professions and surveyors, (who usually receive one guinea *per diem*,) the mileage and the day's allowance are in general the same in the case of the gentleman and of the peasant, the amount being obviously inadequate to afford to the former his usual comforts, while it is sufficient to supply the latter with accommodation far beyond his ordinary reach. The same power should be reserved to the judge as he usually possesses at present, of varying the allowances by special order, in any case peculiarly circumstanced. We have constructed and inserted in the Appendix* tables framed upon the principles above described.

Mileage and Days' Allowance.

The proportion of charge under each several head of allowance is exhibited above.† It will be found that the mileage and the payment *per diem* (taken together) amount to 47 per cent. of the whole expenditure to which the table refers. No material reduction however can be hoped for under these heads, if the principle of complete compensation is fairly acted upon, except by such alterations in the general plan of judicature as shall bring offenders to trial at or near the place where the offence was committed. The expenses for travelling vary of course in their amount, directly as the distance of the places where the prosecutors and witnesses reside from the town where the assizes or sessions are held; the days' allowance, as the length of time during which they are detained from home; and the latter charge is materially aggravated by the high prices which a great concourse of strangers to the same town is invariably found to occasion. Thus in the West Riding of Yorkshire, where the spaces to be travelled are considerable, the duration of the assizes long, and the conflux of visiters to the assize town excessive, we find the average expense per case to be £50; while in the borough court at Leeds, where prisoners are brought to trial on the spot, it does not exceed £4. 10*s*. 3*d*.

Local Courts recommended.

The most obvious therefore, and in our opinion the only effectual, method of reducing the expenditure under these heads of allowance, would be that of trial on the spot. And we think that in reference not only to this object, but to several other important results, which we shall presently proceed to point out, great advantage would be derived from the establishment of *local courts*, to be held before salaried judges to be appointed for that purpose, whose jurisdiction (to save expense) should not be confined to one place, but extend over a small circuit. The principle of a local trial, effected through the medium of ambulatory judges, is already in some measure recognised in our law; it dictated, long since, the establishment of the present system of the circuit judicature. But the benefits hitherto derived from it are imperfect, and must continue to be so until it is carried one step further, by the institution of courts to be held in the vicinity of the place where the crime was committed.

We beg leave, therefore, again humbly to solicit Your Majesty's attention to the plan suggested in our preliminary Report, of superseding the jurisdiction of the magistrates so far as regards the trial of *indictments*, and establishing in every large town within each county a court of criminal judicature for the trial of all such offences as are now ordinarily disposed of at quarter session; the capital cases being still reserved for the judges of assize. The judge to preside in such court should be a barrister of experience, should receive salary, and should be allowed a certain rank in the profession, but inferior of course to that enjoyed by the judges of the courts at Westminster. To each judge should be assigned a circuit or district comprising a certain number of towns, at which he would sit successively, for the trial of offences committed within the district. With each town would be connected (according to our arrangement) a rural division of the district; and besides a session for the town and its precincts, the judge would also hold at each town a separate session for the rural division. It would be necessary to provide, as part of the establishment, a certain number of officers to tax the costs of prosecution, and perform the other ministerial duties incident to a court of justice. These officers should also be salaried; but to save expense they should serve for the whole district, and accompany the judge on his circuit.

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* Appendix, Part II. † Supra, p. 16.

To prevent the abuses which are naturally to be expected where the person appointed to administer justice in every district is exposed too strongly to the influence of local feeling and connexion, the judges of these courts should be required to vary their circuits, and to visit each different district in succession.

The salary of the judges and officers ought, in our opinion, to be a charge on the public revenues; but if it is to be borne by the towns and rural divisions, it should be defrayed between them in the fair proportion of the average number of prosecutions contributed by town and country to the calendar. The present recorders of towns might properly in the first instance be appointed to the new office; but in general the appointment should be at the discretion of the Crown.

Even supposing the salary to be provided for by the districts, we believe that in the result there would be a considerable relief from the present local charge for prosecutions. The economical effect of the proposed plan would be felt not only in the immense consequent reduction in the expenses of mileage and days' allowance, but in several other directions; for it would be easy to combine with such a method a *greater frequency of trial* than is practicable under the present system; and it would follow as a consequence from this, that there would be a proportionate abatement in the present expenditure for gaols and maintenance of prisoners. For where the period of custody is shortened, the maintenance is of course lessened in proportion; and gaols of smaller dimensions will suffice, because the number confined at the same period of time would not be so large. Prisoners committed to the assizes (which are held at periods of eight and four months) are confined on an average more than three months; those committed to the sessions (which are held every quarter) six weeks. But as trials might take place in the local courts without inconvenience every six weeks, the average period of custody in all cases there tried might thus be abridged to three weeks. If the particulars of expenditure contained in the Appendix * be examined, it will be found that the charge for "Gaols and Maintenance" is by far the heaviest in the whole account, and is stated for the year 1834 at £222,786. The importance of the saving, therefore, that might be effected under this head by the plan of local courts is sufficiently apparent. "If," says Mr. Hume, "the plan of local courts and speedy trials were adopted, three-fourths of the whole expense now incurred for keeping prisoners previous to trial would be saved, and I expect that amount would be sufficient to pay a permanent judge and court."†

But a greater frequency of trial would be attended with another and a still more beneficial consequence. It would have a tendency to diminish crime, and with crime, the number of prosecutions; for it would shorten the period during which the offender could hope to escape punishment, and also that during which he is exposed to the contamination of gaol society; and each of these consequences would have an unquestionable and important moral operation. In this point of view, therefore, as well as in those before noticed, a reduction of expense would follow from the proposed change. But on this part of our subject the consideration of economy is almost merged in interests of a higher kind. The necessity of more speedy trial in reference to its moral effect, and to the general object of the prevention of crime, (more particularly as regards juvenile offenders,) is generally felt, and the demand for it nearly universal. There have been many declarations of the public opinion on this subject, and it may be collected with sufficient distinctness even from the communications addressed to this Commission. The necessity and urgency of this demand for more speedy trials near the spot, is forcibly urged by a correspondent from Gloucestershire, who observes, "Prosecutors and witnesses, the grand jury and petty jury, would be saved the loss of half their time, (most valuable to them,) besides the irksomeness of an attendance at a great distance from their families and homes—for the accumulation of cases causes an attendance of six or seven days at the assizes, and of three or four at the quarter sessions; at the same time the offender would be saved from long imprisonment before trial, and from the contamination of a gaol. Nothing would more conduce to the encouragement of prosecutions for minor offences, not one half of which are now brought forward, from the fear of not receiving adequate remuneration for the trouble and irksomeness, inconvenience, and almost certain loss in attending to prosecute at the county town."‡ Except, however, through the medium of such a plan as we have above suggested, we do not perceive how this great object can be made attainable.

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* Appendix C, 2*a*. † Appendix A, p. 852. ‡ Appendix B, Purnell, 141.

Method of Intermediate Quarter Sessions considered.

The most obvious—perhaps the best alternative would be, to extend and render more general the method already adopted in many parts of the kingdom of holding intermediate quarter sessions. But for the trial of criminal cases attended with the severest penal consequences short of death, we presume to entertain serious doubts of the efficiency of the Court of Quarter Sessions as at present constituted. In intelligence, zeal, a high sense of honour, and a sincere desire to do substantial justice, it is impossible to exceed the country gentlemen of England. But the administrative details of criminal justice are of a technical character. The duty of a criminal judge is not satisfied by reading over his notes, however carefully taken; he has to comment upon the weight and bearing of evidence; he is called upon to reconcile apparent contradictions; he ought, as he proceeds, to point out slight confirmations and unobserved discrepancies. The performance of these duties requires not only analytical powers of mind of no common order, but the habitual exercise of them; faculties called out and sharpened by practice, and a high degree of judicial acumen and discrimination. To preside at a criminal trial and sum up an intricate case with clearness and precision, it is not sufficient to have a cultivated mind and excellent sense, without a knowledge of the principles of law, the rules of evidence, and the forms of procedure. A good judge is only formed by years of laborious study and patient attention. It is not consonant to the spirit of the constitution that persons should be tried for offences involving loss of liberty for long periods, and expatriation during the whole term of life, before an unprofessional judge. Without entering into any minute details of legal history, it may be cursorily observed that when the jurisdiction over indictments was first given to the quarter sessions, it was upon express condition that with "the most worthy of the county" should be combined "persons learned in the law." In the 20th year of King Edward III. it was prayed by the Commons, that the assigned keepers of the peace, by the King's Commission, might have a power to hear and determine felonies; it was answered, that the King would appoint learned persons for that office.* Afterwards in the 34th year of the same King, the jurisdiction was granted, with the qualification stated. All the early statutes provide that a large proportion of the justices should consist of men of the law;† and when a pecuniary qualification was afterwards required, a power was vested in the chancellor, of dispensing with it,‡ in order to secure persons learned in the law as members of the commission.

It is besides an essential defect in the constitution of the court of quarter session, that the attendance of its members is discretionary and precarious. This inconvenience, it need scarcely be remarked, would present itself in an aggravated shape if the periods of assembling were to be made more frequent by law.

Yet before these county courts of quarter sessions were tried, in the course of the year 1835, half the prisoners in England and Wales; viz., 10,737 out of 20,731.§ The extent to which the recent abolition of capital punishments in a variety of cases has increased the jurisdiction of the quarter sessions will appear from these courts having tried in the same period

132 prisoners for house-breaking,
14 for cattle-stealing,
62 for horse-stealing,
108 for sheep-stealing, and
41 for larceny in dwelling-houses to the value of £5;

And transportation for life, by sentence of such courts, is now a frequent, and indeed a necessary punishment.

Plan for extending Jurisdiction of Petty Sessions considered.

It has been also proposed to attain the desired object of a speedy trial, by enlarging the jurisdiction of the magistrates of petty sessions, and confiding to them the trial of the smaller felonies; but that course would, in our judgment, be highly objectionable. The public confidence would undoubtedly be withheld from a tribunal so constituted. Without the advantage possessed by the court of quarter sessions in its larger combination of ability and experience, and subject in a much less degree to the influence of that check which results from publicity, we are surprised that it should be considered, by those who view the subject maturely, as a court properly adapted to the trial of felonies. To urge (as has frequently been done) that already the magistrates at petty sessions have jurisdiction in cases not

* Parl. Pet. 20 Edward III.
† 18 Edward III. st. 1, c. 2. 34 Edw. III. c. 1. 12 Richard II. c. 10. 2 Henry V. st. 1, c. 4.
‡ 18 Henry VI. c. 11.
§ Home Office Circular: Criminal Offenders, England and Wales, 1835.

morally distinguishable from felony, and nearly allied to them in penal consequence, is not, to our minds, a convincing line of argument. Whatever may be the case in particular instances, the general jurisdiction of that court is certainly confined to offences which, neither in point of moral guilt, nor disgrace to character, nor penal result, are by any means so serious in their nature as felonies; and, for the reasons already stated, besides several others, its ordinary province ought not, in our opinion, to be extended to crimes of the latter description.

Among the other objections of a grave nature to the plan of trials at petty sessions, we will cursorily notice the following:—1st. The judges, however pure, will be always liable to the suspicion of partiality, because they must of necessity possess some knowledge of the case, or of the parties, or of the prevalence of a particular offence in the district, against which public feeling is excited. 2dly. The proceedings before the justices would be frequently deficient in the calmness and deliberation belonging to courts of superior jurisdiction; and where there was an absence of solemnity, the decision, however sound, would not carry its due weight with the public. 3dly. If in order to obviate the jealousy naturally felt, of extending the judicial power of magistrates and depriving the subject of his birthright, (the trial *per pares,*) a jury should be called in; in that case, as cumbrous and costly a machinery will be established as would be required to give the prisoner the benefit of a regular trial, according to the now established forms of law.

Many persons, however, though not prepared to go the length of recommending a general enlargement of the jurisdiction of the petty sessions to this extent, yet incline to the opinion that felonies might advantageously be tried there, *where the offenders are juvenile.** There is no doubt that in this case a speedy trial is of peculiar moral importance; and it must be admitted, too, that the jurisdiction of a petty sessions is less objectionable, where the offender is of an age to be sufficiently corrected by whipping, than where it becomes necessary to inflict imprisonment, with hard labour, or transportation. But, after much reflection, we cannot think this course of proceeding right. To send boys and men to different tribunals, and to subject them systematically to different degrees of punishment, would have an obvious tendency to diminish the sense of crime, when committed by persons under a certain age; and it would be attended besides with this practical difficulty, that where boys are, upon system, more leniently dealt with than men, they will always, for obvious reasons, be encouraged in crime by their seniors, and put forward by them as the chief agents in depredation.

Subject of Local Courts resumed.

Our proposed plan of local courts promises yet additional advantages which we have not hitherto enumerated. It may be so arranged as to render the charge for prosecutions more fair and equal than at present in its pressure; for the expense of the cases tried at the sessions to be held for the town, might be defrayed by a town rate, and those tried at the sessions for a rural district out of a country rate, and the municipal and agricultural portions of the county would thus each bear only its own burthen.

It is an additional and strong recommendation of the plan, that it is capable of being conveniently connected with an arrangement for the trial (before the same judge) of *civil causes,* where the sum in dispute is too small to be advantageously made the subject of trial in the courts at Westminster; and thus by the same machinery two distinct improvements in the general system of judicature may be effected. The importance of the measure, as regards the latter object, it does not belong to our province to enlarge upon; but it may be collected from the Report of the Common Law Commissioners on the subject of Local Courts.

From the remarks already made, it may be inferred that we consider it as no objection to our proposed plan of criminal judicature, that it dispossesses the justices of the peace of their present jurisdiction over indictments. On this subject, however, we are anxious not to be misunderstood. Nothing can be farther from our real sentiments than the wish to disparage the institution of the local magistracy. We hold its general effect on society to be eminently useful, because it promotes the public spirit of gentlemen residing in the country, and tends at the same time to secure to them a wholesome influence in their neighbourhood. But we think that both these objects are sufficiently provided for if they are allowed to retain the power of commitments and summary convictions, and to participate in the management of the general county business. To relieve them from a branch of duty in which their efficiency is not generally acknowledged, would ultimately advance rather than degrade them in public estimation.

* Sir Eardley Wilmot, Appendix A, Q. 191, 192.

Some objection on the ground of inconvenience may, perhaps, appear to attach to the measure from the necessity which it involves of a more frequent attendance of grand and petty jurors.* It is to be considered, however, that if the attendance should be more frequent, it would be for proportionably shorter periods, and that instead of being obliged to travel to a considerable distance, (as usual under the present system,) the jurors would in general not be detained a single night from their homes. In the town cases, indeed, it is obvious that this would never occur. Any difficulty of this kind might also be obviated to a great extent by proper arrangements for division of the duty, so contrived that no person should be summoned a second time until the whole roll of those competent to serve had been exhausted. When full justice is done to these considerations, they deprive the objection of much of its weight; and if any be still felt to remain, it is not at all events such as can be fairly said to counterpoise the important benefits which the measure is calculated to produce. It is material, besides, to remark that all appearance of objection on this ground would be at once removed if it should be thought proper to reduce, so far as the local courts are concerned, the number of jurors now required upon the panel. It has been already recommended by the Common Law Commissioners, that in the courts contemplated by them, for the local trial of civil causes, the jury should be limited to six persons;† and no good reason occurs to us why the same number would not suffice for the Grand and Petty Jury respectively in local prosecutions.

As our scheme proposes to connect with each town a rural division, it includes the intermixture of the respective inhabitants of town and country upon juries; the only effectual mode of counteracting local prejudices and associations, and procuring impartial jurors.‡

Allowance for Counsel and Attorneys.

We now resume the subject of allowances in prosecutions. Next in order to those for travelling, loss of time, and maintenance, we have enumerated those for the employment of *counsel* and *attorneys*.

These constitute items of very large amount when they occur in the prosecutor's bill; and the greater costliness of prosecutions at the assizes is mainly to be attributed to the circumstance that the allowance under these heads is more frequent and more liberal than at the sessions.

The general table by which we propose that the other allowances should be regulated embraces this subject also, and applies to it regulations adapted for universal observance. The principles on which we have proceeded are as follows:—

In any case which involves a point of legal difficulty the assistance of counsel ought of course to be allowed for. The same remark applies to any case in which the witnesses are numerous. In the absence of counsel the duty of examining the witnesses devolves upon the judge, who has no clue to follow but that which he finds in the depositions taken by the committing magistrate. He can rarely spare time to make himself master of these previously to the trial, and his attention during that period is consequently distracted by the necessity of perusing the depositions while he is examining the witnesses. It is evident that the employment of counsel, by relieving him from this additional labour, tends greatly to the correct administration of justice. It has also a material effect in saving time; because, after allowing for the period consumed by the counsel's speech, business is found, upon the whole, to be much accelerated by the division of labour here explained.§ It follows that, even in an economical point of view, the expediency of disallowing the charge for counsel is often questionable; and there is reason to believe that if the principle be carried too far, more is ultimately lost than gained: for, in proportion to the protraction of business at the assize or sessions, is the amount of the charge for loss of time and maintenance.

A consideration of another kind may also be strongly urged for liberality in allowance under this head. Independently of the assistance rendered by the counsel engaged in the particular case, the presence of a bar notoriously exercises a wholesome (though silent) influence on the judge; for there is no public functionary, however high his principles or endowments, whose performance is not naturally improved by the attendance of an auditory of this description.

For these reasons we are disposed to recommend the allowance of counsel, both at assizes and sessions, in every case where the witnesses are three in number, or where there is a point of law upon which argument might reasonably be expected. The amount of the fee should vary between one and two guineas, according to the

* Sir James Bathurst, Appendix A, Q. 801. Shute, Q. 449.
† Fifth Report of Common Law Commissioners, p. 28.
‡ Appendix A, Shute, Q. 449. § See Appendix A, Q. 167, 1289, 1352.

number of witnesses. But, except with the special sanction of the judge or chairman, it should not exceed the latter sum. In other cases there appears to be no sufficient reason for throwing on the county the heavy expense which always attends professional assistance of this kind.

The charge for the attorney is more universally necessary; for there is scarcely a prosecution of which the success would not be endangered if the evidence were not explored, the witnesses collected and kept together, and the general proceedings put in train by a professional agent. We think, therefore, that unless the necessity for such assistance should be superseded by intrusting the duty of prosecuting to the clerks of petty sessions, (according to a plan we shall have occasion presently to propose,) allowance should in every case be made to the prosecutor for remuneration of his attorney, and should in no instance be less than a guinea; but it should not exceed two, without special order from the judge or chairman. Under sanction, however, of that authority, the allowance should be extendible to any amount which may appear necessary to satisfy the justice of the case, having regard to the labour necessarily expended in collecting the evidence and preparing the brief.

Some cases are of a nature absolutely to require very large remuneration on these accounts.

It is now become a very prevalent practice to intrust the conduct of the prosecution to the committing magistrate's clerk, who is generally an attorney by profession. His position naturally recommends him to the employment; but we think the practice objectionable while he is paid by fees, because it gives him a direct interest in the commitment of the prisoner. If this mode of payment is to continue, the union of the two employments should be prohibited by law. And we take this opportunity of remarking that the practice of resorting to the magistrate's clerk to conduct the cases for summary conviction before the magistrates themselves, is open to still more serious animadversion, and ought to be prohibited under a severe penalty. If the payment by salary were to be substituted, the objection would not in that case attach, and the restriction would be unnecessary and improper.

Before we dismiss the subject of counsel and attorney it may be proper to remark, that there is, in general, no allowance under these heads in the Metropolitan Central Court; and we are informed, by the clerk of the arraigns, that no inconvenience results from that circumstance. But the case (as he explains it) is evidently anomalous. The prosecutions are, in effect, conducted by the metropolitan police-officers; and, as several judges attend together at the Old Bailey, there is time for one to read the depositions, while another is trying prisoners. The necessity for attorney and counsel in this court is thus, in ordinary cases, superseded.

We now arrive at the subject of *Fees*.

Fees in Prosecutions.

We refer at present to such as are paid in the course of a prosecution, and form part of the charge exhibited in the Tabular Analysis;* for with respect to fees of any other description that are defrayed by the county, they belong to different divisions of this Report. The fees in question, then, are:

1. Those paid to the magistrate's clerk, and included in the amount of expenses certified by the committing magistrate.
2. Those paid to the clerk and subordinate officers of assize.
3. Those paid to the clerk of the peace, and the subordinate officers of sessions.

The nature and amount of all these fees, with the particular services in respect of which they are claimed, are exhibited in detail in the copious tables subjoined to this Report, and made up by us from the returns received, and from other sources.

There are some few counties, it will be observed, in which the statement of circuit fees, and of those taken by the clerks of the peace, is wanting. The omission, however, is imputable to no neglect of ours, and is, perhaps, of no material consequence, the numerous returns which have been obtained being amply sufficient to give a correct general view of the nature of those fees as claimed throughout the kingdom.

Fees of Magistrates' Clerks.

The fees to magistrates' clerks are, by an Act of the 26th year of his late Majesty George II.† made subject to the regulation of the magistrates at quarter sessions, to be afterwards confirmed by the sanction of one or more of the judges of assize. This provision has been generally acted upon, and there are few counties in which a table, so regulated, does not exist.

* See Appendix C, 9*a*.

† c. 14.

Assize Fees.

The fees payable to clerks of assize are not provided for by any specific enactment; and the statute 3 George IV., c. 69, empowering the judges to settle the fees of their respective courts, has never been acted upon as regards these officers. Whether there is any power vested at common law in the judges of assize for such regulation, is very questionable; and, supposing it to exist, it is, at all events, not generally recognised, nor has it, in any instance, been carried into effect. Subject to exception in occasional instances, where the amount to be paid for a particular service is specially fixed by some Act of Parliament, it may be said, in general, that these fees rest everywhere on the mere basis of long usage; and there is no table established by law on any circuit, nor, consequently, any means afforded to the party charged of ascertaining the legal validity of the officer's claim.

For the assize fees now taken (including those on the civil as well as on the Crown side) authority is substantially given by the late Acts of Parliament for compensation of the officers of the courts of common law,* passed with the view of facilitating the measures of law reform then in contemplation. The commissioners appointed under these Acts were thereby directed to award compensation in respect of all such fees as could be shown (in the absence of any positive authority) to have been usually taken for 50 years. On obtaining returns from the circuit officers as to the fees claimed by them, the Commissioners found that in many instances the statutory description was not satisfied, but that either the origin of the fee or its amount was to be referred to recent encroachment. They therefore proceeded to make out certificates comprising such fees only as were found to be conformable to the requisites of the Acts of Parliament; and these accordingly formed the basis upon which the value of the offices was adjusted, and the compensation awarded. It is by the certificates so made out that the present receipt of assize fees is in fact governed, those disallowed by the Commissioners being now discontinued (as we are informed) in practice. But this matter is not provided for by any regulation of law. For further illustration of the subject we have subjoined in the Appendix (from materials afforded us through the medium of the above-mentioned commission) a table, which exhibits in juxta-position as well the fees originally claimed as those allowed by the Commissioners, on which the compensation was awarded.† From this explanation it results that of the assize fees now taken the whole are either sanctioned by some positive enactment or by an usage of 50 years, confirmed by the award of compensation for them under the Acts of Parliament. Beyond this we have not deemed it necessary to enter into any investigation of their legal validity. It appeared the less material to do so, because, supposing the remuneration by fees to be continued, (which, for reasons to be presently stated, we do not recommend,) we should at all events propose to supersede those now taken on the circuit (whatever may be their authority) by a new table.

The fees in the assize prosecutions charged on the County Rate in 1833, (as ascertained from the circuits which have supplied us with returns,) amounted on the whole to £8,164. 16*s*. 4*d*.‡ If the other circuits were to be added to the account, a total might perhaps be exhibited of about £9,600. The total yearly emoluments of the different clerks of assize and their disbursements for the years 1831, 1832, and 1833 are stated in the Appendix to the Report of the Select Committee of the House of Commons.§ In the Appendix to this Report will be found their gross receipts for the year 1835, and also a statement of the amount awarded under the Commission for Compensation to the then holders of the office.‖

Fees of the Clerks of the Peace.

The fees taken by the clerks of the peace are placed under regulation by an Act of the 57th year of the reign of his late Majesty George III.,¶ which gives the magistrates at quarter sessions authority to settle them, subject to the sanction of one or more of the judges of assize. In some counties this provision has been acted upon, but by no means universally. In counties where it has been neglected there is nothing but usage to govern the receipt of fees at sessions, except in some particular cases which happen to be provided for by Act of Parliament, nor is there any table in such counties which can be referred to by the parties charged, as having the authority of law.

In the instances where there is no regulated table, and where custom is, in general, the only authority for the receipt, it is probable, from the nature of the case, that in respect of many of the fees, no clear and long-continued usage could be proved. But for similar reasons with some of those already assigned in the case of the assize fees, we have not thought it material to institute a detailed inquiry into the authority on which each fee individually rests.

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* 1 Will. IV. c. 58. † Appendix C, p. 54 *a*. ‡ Analytical Table, Appendix C, p. 13 *c*.
§ Appendix to Report of Select Committee of House of Commons, p. 75.
‖ See Appendix C. p. 66 *a*. ¶ c. 91.

The fees received by the clerks of the peace in the year 1833, in respect of sessions prosecutions, and ultimately defrayed out of the County Rate, we find to have amounted (in the 39 counties from which returns have been obtained) to £9,545. 18*s.* 7*d.** For the whole of England and Wales, the sum of £14,600 would seem to be a probable conjectural estimate.

It is evident that the fees payable to all the different classes of officers above enumerated, stand much in need of new regulation. They exhibit a great diversity of charge in different counties and circuits, in respect of the same precise description of service.

Thus in the fees of the clerks of assize will be found the following varying amounts of charges upon different circuits:—

	Oxford.	Western.	Northern.	Midland.	Norfolk.	Home.
	s. *d.*	*s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	*s.* *d.*	*s.* *d.*
Entering the confession of submission of every defendant	4 0	13 4	0 2 0	0 5 4	6 8	Nil.
Respiting every recognisance	4 0	8 4	0 14 8	Nil.	10 8	6 6
Discharging every ditto	9 0	6 4	0 14 8	0 10 6	14 8	6 6
Every prisoner discharged by proclamation	9 0	13 4	0 14 8	1 0 0 or 0 13 4	15 8 13 4 14 8	9 4 15 8
Every prisoner found guilty in one indictment for felony and discharged	17 8	13 4	1 5 4 0 10 8	1 6 8	13 4 6 8	9 4

In the fees of clerks of the peace occur the following instances:—

	Berks.	Hants.	Monmouth.	Stafford.	Worcester.
	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
Fee for each acquittal	None.	1 17 10	0 17 8	0 13 4	0 6 8
Reading each affidavit in court and filing	0 3 0	0 2 0	0 1 0	0 2 0	0 4 4
For the appointment of each high constable, and oath	0 3 6	0 1 0	0 2 6	1 1 0	0 6 0
Administering oaths of allegiance, supremacy, and abjuration, and other oaths of office to magistrates, sheriffs, under-sheriffs, and deputy-lieutenants, and certificate	None.	0 3 0	0 5 0	1 1 0	2 2 0 To magistrate, sheriff, and deputy-lieut., and £1. 1*s.* to under-sheriff.

In the fees of magistrates' clerks will be found these variations:—

	Berks.	Hants.	Hereford.	Stafford.	Worcester.
	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
Allowance of registry of indenture of parish apprentice	0 2 0	0 5 0	0 6 0	0 8 0	0 7 0
Certificate signed by two magistrates	0 5 0	0 6 0	0 2 0	0 1 0	0 2 6
Conviction, if short, and form given by statute	0 3 6	0 7 6	0 2 6	0 2 6	0 1 6
For every recognisance to prosecute	0 5 0	0 2 6	0 2 6	0 2 0	0 2 6

But of these various rates of remuneration, only one (at most) can be correct, if the aim has been to adjust them upon the principle of *quantum meruit* for the particular duty performed; and that is presumably the principle upon which they profess to be founded. The present tables are also objectionable in not making better provision against the improper accumulation of fees in respect of services ostensibly several, but for which a single remuneration ought to suffice. If the mode of payment by fees is to continue, new and improved scales should be adopted for the general regulation of all fees connected with prosecutions, whether payable before the committing magistrates, at assizes, or at sessions; and should be established by law as universally applicable to every part of the kingdom. The whole subject of *Allowances and Fees in Prosecutions* should in that case be consolidated within the compass of a single Act of Parliament, which should comprise schedules of all the different charges to which the sanction of the law is to be given, and regulations properly adapted to secure their observance. It should also be provided that alterations may be made from time to time in these schedules, by consent and allowance of one of Your Majesty's principal Secretaries of State, but not otherwise. The receipt of any fee not warranted by the Act should be prohibited under a severe penalty, and it should be specially provided that, in the event of new duties being committed to the officer, by any future regulation of

* Analytical Tables, Appendix C, p. 19 *a*.

law, no new fee should be claimed in respect thereof, unless authorized by a positive enactment, in which the precise sum to be taken shall be specified. To facilitate such a measure, in the event of its being deemed expedient, we have thought it useful to construct such schedules as would be required for the purpose, and to insert them in the Appendix to this Report.*

Substitution of Salary for Fees recommended.

But the principle of payment by fees, however regulated, is in its nature so inconvenient and objectionable, (particularly as applied to the officers in question,) that it becomes a point of great interest to consider whether, instead of attempting a better arrangement of the fees now payable, it would not be advisable to supersede them altogether by the payment of *salary*.

When the payment is by fees, it is difficult in the case of such officers as the clerk of assize and the clerk of the peace, to adjust their amount in any way that shall be quite free from objection.

The true object to be aimed at, is evidently this, that the whole receipts of the office should amount to a reasonable compensation and no more, for the whole time and labour bestowed, and the whole expense of travelling, lodging, and maintenance incurred by those officers during the period of the assizes or sessions. But if the payment is to be by fees, accurately adjusted to the labour bestowed in the particular services for which they are respectively claimed, it is evident that the remuneration will always fall short of the limit above proposed. For, according to that principle, no allowance is made for the travelling, lodging, and maintenance, nor for the time consumed during the long period of the absence from home, beyond what is required for the actual performance of the services. At the same time it is very difficult to settle fees upon any other principle, and if it is departed from, or mixed with considerations of a different kind, considerable uncertainty must always attach to the estimate.

It is also to be observed that even when the amount of the fees is once satisfactorily fixed, the rate of the entire remuneration is still liable to constant disturbance. For if the prosecutions increase, the total receipts will be larger, and if they diminish, less; and though the labour will vary also in the same proportion, the expense of travelling, lodging, and maintenance, and the time consumed in travelling, will be in either event the same.

It is a further objection to this mode of payment that the occasions on which the fees arise are often multiplied (as in the present tables) without multiplying in proportion, the labour; as where several defendants are included in the same indictment, and a fee is taken in respect of each person named as defendant. This may be corrected it is true, in some measure, by proper regulations; but no adjustment for that purpose can be entirely effectual.

The strongest reason, however, against a payment by fees, is, that it affords the opportunity for improper exactions. Without supposing positive extortion, or the demand of a sum which the officer knows not to be due, there are other natural modes of encroachment. Cases are apt to arise in which the usage is doubtful, or silent, and which even a table (where there is one) may have insufficiently provided for. These are of course decided by the officer in his own favour; and the party charged has no easy means of investigating the subject, nor (if wronged) of obtaining redress.

In connexion with this may be noticed the sort of obscurity incident to the subject of fees, in consequence of the technical nature of the services on which they arise. This, to a certain extent, disqualifies persons who are not members of the legal profession from inquiring with effect into abuses, even when their existence is suspected; and operates as an obstacle to reform.

The favourite argument in support of the principle of payment by fees, is, that they give the officer a direct interest in the despatch of the largest quantity of business in a given time; and have a consequent tendency to secure activity in the discharge of duty. The argument is specious; but as applied to offices of the kind now in question, it becomes the less impressive the more it is considered. The sort of zeal to promote, and we may add to *create* business, which is undoubtedly generated by the receipt of fees, is not what is required for the discharge of merely ministerial duties. Nothing more is requisite than a prompt and patient attention; and there is no reason whatever to suppose that less of this, would be bestowed by the officers of circuit and sessions if they were paid by salary. It might perhaps be otherwise if the duties were of a nature to be performed in private, and could be neglected without exposing the officer to immediate censure from his superiors. But, in fact, they are performed in court, or in a public room,

* Appendix, Part II.

in the presence of the party; and any want of proper attention would infallibly occasion complaint to the proper authorities. Experience proves the futility of the apprehension. Most of the present clerks of assize are in effect now paid by salary, being entitled to the compensation made by the 1st Will. IV., c. 58, to the then existing holders of certain offices; viz., to an annual sum during their tenure of office, and to that sum only; the surplus of the fees (if any) being carried to the account of Government. This system has now been in force two years, and no complaint has hitherto been made of any want of attention to their duty. The same remark applies to the whole class of officers belonging to all the superior courts of common law, who now enjoy compensation under that Act.

There are some kinds of public employment in which the payment by fees (however inconvenient) is indispensable, because the services are performed for promiscuous applicants, and there is no common fund out of which a salary can be provided. But the fees incident to those prosecutions which are charged upon the county, though paid in the first instance by the several prosecutors, are all ultimately defrayed out of the same public purse. There is therefore no practical difficulty in the substitution of salary so far as fees of this description are concerned, for it is only charging the same fund in a different manner. In lieu of those taken at the assizes, the different counties comprised in a circuit might each contribute its quota to the salary of the clerk of assize; and every county might also provide a salary for its own clerk of the peace, to stand in place not only of the sessions fees but of all the other emoluments now received by that officer.

Such a substitution would, in itself, be very acceptable (as it appears from the evidence) to the officers themselves; but, as regards the clerks of the peace, it must be connected with a restrictive regulation which would probably be less welcome. According to the present practice, these officers, though prohibited from acting as attorneys in cases tried at the sessions, yet are allowed to exercise generally that profession, to which most of them happen to belong. And where professional business is done by them for the county, of a kind not incidental to the office, a separate bill is sent in on that account, in which the county is charged as an ordinary client. This union of employments is, even at present, not free from objection; but if a salary were to be given for the official business it would become wholly inadmissible, for there would be a great temptation to charge as professional business that which properly belongs to the office, and there would be reason also to fear that the business of the office would be neglected, and an improper preference given to the professional occupation. For though a payment by salary is not in itself open, in our opinion, to the objection that it would impair the official diligence of the clerks of the peace, it would undoubtedly have that tendency if the officer were allowed to carry on, at the same time, another kind of business remunerated by fees.

It would be essential likewise, if the clerk of the peace is to receive a salary, that he should be, at the same time, strictly prohibited by law from acting as an attorney for his own profit, either on his sole account, or in partnership.

It follows that the salary must be to an amount sufficient for the purchase of his whole time and undivided services. But, in addition to the present official duties, he might properly be required to transact, for his salary, such professional business as might be required to be done for the county, as well as to perform certain other new services which we shall presently have occasion to describe; and perhaps he might also act with advantage as permanent under-sheriff.

It seems probable therefore, that, independently of other recommendations, the change would, upon the whole, be attended with a direct reduction of expense. The net emoluments of the clerks of the peace throughout England and Wales (including professional business for the county) would appear, by the returns, to average about £600, and in some counties to exceed £1,000 per annum.* We should imagine that, upon the system of salary, a fixed allowance of equal, and sometimes of smaller amount, than the lowest of these sums would, in general, suffice. It is to be remarked that, in several instances, the duties of the office are now performed by deputies receiving emolument in addition to the amounts above stated, and discharging the whole of the duties; a system which, we think, should not be allowed to continue.

A large portion of the present income of these officers is derived from individuals, in the shape of office fees, for business not arising in prosecutions, and which consequently form no charge upon the county. Supposing the clerks of

* Report of Select Committee of the House of Commons, Appendix, p. 76.

the peace therefore, to be paid entirely by a salary, some portion of its amount ought, in justice, to be borne by the public at large; and we would suggest the propriety of its being defrayed by the Treasury. To allow the fees derived from individuals to be still taken, would tend to attach to the branch of business in which they were received, an unfair preference.

We are disposed to recommend that the same principle should be pursued in providing for the salary of the clerk of assize. So far as the counties are concerned, it ought not to exceed the average amount of his fees in such prosecutions as are charged on the County Rate. But he also receives fees in prosecutions for such misdemeanors as the law does not charge upon that rate, and fees for business done out of the course of a prosecution, but connected with his office as clerk of the Crown. In order to avoid the inconvenience apt to arise from a mixture of fees with fixed allowance, he should receive, we think, in lieu of the whole of the emoluments received on the Crown side, a competent salary; and that part of it which would not be chargeable on the County Rate should be paid out of the public revenues.

Supposing such an arrangement to take place, all fees which now constitute a charge on the county, would of course drop altogether; but with respect to the others, the question would arise whether they should be allowed to share the same fate, or continue to be still collected, with a view to form a fund for the payment of such portions of the salaries of the clerk of assize and clerk of the peace, as would be payable by Government. This must depend upon financial considerations, of which we are not competent judges. But we may be permitted to remark that the payment of fees is always a source of inconvenience and abuse, and is never perhaps so unpopular as when required from suitors in a court of justice. Upon this point it also deserves consideration that Government has it in its power, as the law now stands, on the appointment of all future circuit officers, to fix the amount of their receipts in proportion to the services, and may require the duties to be performed in person without making any allowance for a deputy. The portion of salary therefore required to be contributed from the public treasury, would be less than the present amount of receipts might seem to indicate. We will also beg leave to express an opinion that, whatever course may be taken with respect to the circuit and session fees in general, there are some of them too objectionable to be retained. We allude to the traverse fees and the fees on acquittal and discharge, which are claimed from defendants in misdemeanors. This amount is often a serious charge to the indigent persons who constitute the great majority of such defendants. When the parties are unable or refuse to pay them, (which is a very frequent, and now, perhaps, the general case,) the loss falls most improperly and unfairly on the officer, unless he is indemnified (as happens to be the case with most of the existing clerks of assize under the Compensation Act) against any deficiency in the receipts. The liability to fees on acquittal, is, besides, resented by the parties (and not without reason) as contrary to natural justice. They are indeed so indefensible, that the necessity has already been felt of relieving the defendants from them in cases of felony. And in our opinion, justice equally requires the same relief in misdemeanor. Both with respect to these and the traverse fees, we would recommend that they should be no longer exigible from the party.

Traverse and Acquittal Fees in Misdemeanours objectionable.

The subordinate officers of the circuit and sessions (with the exception of the judges' marshal and crier) are at present appointed and paid by the clerk of assize; and if this officer should be salaried, there is no reason why the same course should not still be pursued. As to the judge's marshal and crier, they should be each provided for by a small salary commensurate with their present receipts in the shape of fees. The same mode should be adopted with respect to the crier at sessions.

Attendance of Clerk of the Peace to tax Costs at the Assizes, recommended.

The payment of the clerk of the peace by salary would be attended with a collateral advantage of great importance. It would render practicable an arrangement, by which the regulation and management of the expenditure in assize prosecutions might be materially improved. The nature of the improvement required, and the means that might be employed to effect it, will appear from the following remarks.

In the prosecutions at sessions all expenses incurred fall under the cognizance of the magistrates and of the clerk of the peace; but those at the assizes, though equally a charge upon the County Rate, are, at present, subject to no examination or control by the magistrates, or by any of the county officers. This appears to be a strange defect; but in truth it is only a sample of the general want of systematic arrangement, which prevails on every subject connected with the administration of the County Funds.

In the instance now referred to, the necessity for vigilant control is apparent. The charges for mileage and days' allowance both require the scrutiny of an intel-

ligent officer; the former more particularly, because the places from whence the witnesses have travelled, and their distance from the assize town, are points which often afford an easy opportunity for deception. Thus, to the question, "Who furnishes the account of time and distance?" the reply of an officer was, "The attorney. I have some check upon the time charged for, but it is in the power of the attorney, if ill-disposed, to make misrepresentations with respect to the distance. In Northamptonshire, where the witness is allowed an extra day's expenses for every ten miles travelled, a misrepresentation of this kind would have the effect of giving another day." The answer of another officer was: "We take *that* upon the statement of the attorney;" adding, "The clerk of the peace, from his local knowledge, would check it infinitely better than the clerk of assize, and he would know the character of the attorneys a great deal better; he would know upon whom he could depend."* But such superintendence is still more important as regards the allowance for counsel and attorneys, and the taxation generally of the attorney's bill.

These duties are now, to a certain extent, performed by the clerks of assize, or their subordinate officers; but the performance is not effectual. Incumbered with other employments, and obliged to follow the judges from one place to another on the circuit, they have not sufficient leisure for inquiries of so searching a kind. Besides, as regards the particular duty of taxing the attorney's bill by the present officers, a degree of jealousy is naturally felt, from the circumstance of such of the clerks of assize as are practising attorneys being frequently the town agents of attorneys upon the circuits, or, in other cases, candidates for agency business. It may be added that, as they are not county officers, there is no propriety in intrusting to them the protection of the county purse. There is, besides, a subject, not yet mentioned, on which considerable vigilance is required, and in respect of which they are themselves the parties to be watched: we mean the fees of office.

Considerations of this kind have led to the suggestion of a plan, which appears to have much engaged the attention of the Select Committee of the House of Commons on County Rates, but which we concur with them in considering as not fit to be adopted. It is that of transferring to the clerks of the peace the whole duties at present performed by the clerks of assize, and thus uniting the two offices. We are convinced that this arrangement is not practicable. The clerk of assize travels with the judges round the circuit, and it is necessary that he should do so, because he carries with him the indictment and depositions in the different cases that have been tried, and the course of business often obliges the judges to resort to him for information connected with these cases. When not on the circuit, his duties are of a nature to require his residence in London. He has the general custody of the records of the circuit, and it is to him that parties must apply, from all parts of the kingdom, who require certificates of acquittal or conviction to be made out for them. He is also the person who carries on the correspondence with the magistrates' clerks and keepers of prisons, and to whom the depositions are sent in the cases that are to be tried at the following assizes, and with him the judges have occasion to consult when arrangements are making for a circuit. For these reasons it is evident that the clerk of the peace (whose duties strictly confine him to his own county) is wholly unfit to hold the situation of clerk of assize.

But the important object of checking the assize expenditure by a county officer may be obtained in another way.

For this purpose we would impose on the clerk of the peace the duty of attending at the assizes; but his sole province there should be to superintend the allowance of the expenses of the prosecution, and to issue the orders on the county treasurer for the amount. Not being limited as to time, he might tax the prosecutor's bill with a degree of care which cannot be expected from the circuit officers; and his local information (derived from residence in the county) would give him advantages, as regards the allowance of some of the charges, they cannot be supposed to possess. In the event of the adoption of the principle we have in a former place recommended, of graduating the day's allowance according to the rank and circumstances of each class of witnesses, the circuit officers would, from want of time, be exposed to some difficulty in the practical application of the scale; but no such inconvenience would arise if the task were to be performed by this local officer acting, comparatively, at his leisure. The duty of checking the charges on account of fees (which is, at present, absolutely unprovided for,) would also be one of those incumbent on him, if the principle of payment by fees in the case of the clerks of assize were still to be retained. He might also render very important services with respect to the expenses comprised in the certificate of the committing magistrate.

* Appendix A, Q. 960, 1026, 1027.

To show the want of control over these expenses at present, and, indeed, their almost entire exemption from any scrutiny, we invite attention to the following extracts from the Examinations taken before this Commission:

To the question, What check the clerks of assize possess over the certificate? it was replied by these officers:*

(*Norfolk Circuit.*) "None."

(*Midland Circuit.*) "I have no check over the sums certified by the committing magistrate."

(*Northern Circuit*) "Whatever the magistrate certifies for his clerk's fees we take to be conclusive. We have no check upon the number of witnesses attending before him; but if he allows too much for the expenses of witnesses, I check it by the Yorkshire scale of allowances for attending at trials."

(*Oxford Circuit.*) "We have no check or control over that."

(*Home Circuit.*) "None that I am aware of."

Being asked if, in case of there being a scale of allowance for the expenses of witnesses attending before the committing magistrate, they know of it? the officers answered:

(*Norfolk Circuit.*) "The magistrate is supposed to attend to that. We have no means of knowing whether the scale is conformed to."

(*Midland Circuit.*) "No; I have not the slightest check as to the number of witnesses, or their allowance."

(*Northern Circuit.*) "None whatever, as to the number of witnesses; as to allowances, the magistrate frequently allows too much; whether they are to be allowed again out of the County Rate, the clerk of assize exercises his discretion."

(*Oxford Circuit.*) "No, we have no means of knowing; any scale there may be is never communicated to us; it is supposed that the magistrate who grants his certificate is aware of the authority which he has for making those allowances. In some counties the magistrates make more liberal allowances than in others."

(*Home Circuit.*) "No, except by the certificate of the committing magistrate, which I regard as conclusive, unless anything appear upon the face of it which is illegal."

Upon the same inquiry as to the fees of the magistrates' clerks:

(*Norfolk Circuit.*) "No; we consider we cannot inquire into those charges, since the certificate was established. But, before the 7th George IV., the clerk of assize did tax the magistrates' clerk's bill, and often took off items."

(*Midland Circuit.*) "It is the same with the fees of the magistrates' clerks; I have no check, and no power of seeing that a table is conformed to."

(*Northern Circuit.*) "We have no means of examining the magistrates' clerk's fees. We take the magistrate's certificate for that."

(*Oxford Circuit.*) "We take the magistrate's certificate as it is; he having been cognizant of what has taken place."

(*Home Circuit.*) "No, I cannot tell. I do not recollect ever seeing any tables of fees to be taken by magistrates' clerks, except when they have been transmitted to me for the purpose of laying them before the judges for approval, and before such approval had taken place."

Without a previous inspection, by some public officer, of the degree of conformity to established fees and allowances under the different heads, it will be rendering no effectual service to frame tables or prescribe rules,—while there is no security for their observance.

At present, indeed, the state of the law upon the subject is so loose as to preclude the possibility of exercising an effective control over those expenses. The rate of allowance which the committing magistrate is to award is fixed (as we have already shown) by no binding regulation, and though the expenses incurred before him are to be paid by the court on his certificate, the law has prescribed no form in which they shall be certified. The consequence of the latter omission is, that the certificate often comprises a sweeping charge of a gross sum for the "expense of the attendance of the prosecutor and his witnesses, and their loss of time and trouble,"† without any specification of particulars. This vagueness is a source of abuse, for, upon inquiry, the certificate has been frequently discovered to comprise payments (not specifically stated) for the search and apprehension of prisoners, and other charges not warranted by law. And this is the more objectionable

* Jones, (Norfolk Circuit), Q. 909, 910, 911, 912, 913, 914, 915, 916; Collison, (Midland), Q. 945—956; Bayley, (Northern), Q. 1004—1012.

† Bellamy (Oxford), Q. 1155—1158; Clarke (Home), Q. 1210—1216.

because another mode of remunerating the constable for these services is provided in cases of the nature usually tried at the assizes. There is, therefore, nothing to prevent the allowance of a constable's bill by the clerk of assize, and an order given upon the sheriff for its payment, in an instance where, for all his services in the same case, the constable has already been compensated out of the County Rate, under the magistrate's general certificate. The form of the certificate of the county of Bucks is in every other respect deserving of praise and imitation, except that in the allowance of "expenses prior to commitment," its provisions go beyond the law as it exists at present.* It contains on the face of it everything that can afford the required information to the taxing officer; the fixed county allowances both to witnesses and constables, and the justices' clerks' fees.

Having already recommended that the whole subject of allowances should be provided for by Act of Parliament, we would also suggest that the Act should contain a provision properly adapted to meet the inconvenience above pointed out. It should require the magistrate to certify the different charges, according to a form prescribed, detailing the number of witnesses, the distances they have travelled, the number of days they have attended, with other necessary particulars. Supposing the present state of the law to be thus rectified, the clerk of the peace might, during his attendance at the assizes, exercise an effective control over this as well as other branches of expenditure. For this purpose it would be incumbent on him strictly to examine the certificate in each prosecution, to cancel the charges where found to be inaccurate, as far as he had the means of doing so, and where the materials for correction failed, or the case was doubtful, to require explanation from the magistrate. The certificate itself should be annexed to the order upon the county treasurer.

Upon the whole there is strong reason to suppose that the attendance of this officer at the assizes, upon the plan above suggested, would lead to considerable reduction of expense. Mr. Bayley, the clerk of assize on the northern circuit, states in his examination: "I think the county would save a great deal of money by it. No objection whatever occurs to me to such a plan. I think it would be very desirable. The clerk of the peace is generally resident in the county; he has a great deal of local knowledge. He must know so much more than any clerk of assize can." &c.† In any event it could not fail to be more satisfactory than the present method to those who take an interest in the right regulation of the county expenditure. On the other hand, we see no danger, if the rate of allowance is prescribed by Act of Parliament, that prosecutors would sustain any improper disadvantage by the change. It would be right, however, to guard against this, by giving an appeal to the judge, in any case where the officer should attempt to deviate from the scale established by law.

A question will naturally arise to what extent the measure of withdrawing the fees at present paid to the clerk of assize for taxing the costs in prosecutions, will affect the profits of that officer, supposing him to continue to be paid by fees.

We feel relieved from any difficulty upon this head, by having grounds to apprehend that the clerk of assize, when freed from the laborious and irksome duty of taxing costs, would be able, (with perhaps occasional assistance in some few instances,) to discharge upon every circuit the duties of the clerk of arraigns *in person*. This is already the practice upon three circuits, (the Oxford, Midland, and Norfolk.)

We find that the salary paid to the clerk of arraigns is usually larger in amount than the sum produced by the fees arising on the taxation of costs. But supposing their amount to be equal, the travelling expenses, board and lodging of the clerk of arraigns would, upon our plan, be saved.

The value of the fees arising on the taxation of costs upon the Oxford circuit is stated by the clerk of assize to be about £70.

On the Northern circuit the clerk of arraigns receives a salary of £160. On the Western his salary was £84; and upon this circuit the travelling expenses of the clerk of arraigns, exclusive of his board and lodging, were charged at £176; his board and lodging at one-third of £243.

On the Midland circuit the gentleman acting as associate, executes at the same time, the duties of the clerk of arraigns for £20; but, in the disbursements of the principal there was a charge made on account of the clerk of arraigns "for one-third part of the travelling expenses, board and lodging, upon the circuit, £124. 7*s*. 5*d*.‡

* Forms of Certificates in use in the counties of Bucks and Northampton, Appendix C, p. 47 *a*.

† Appendix A, Q. 1061, *et seq*.

‡ Returns of Clerks of Assize, 1831.

Thus it will be seen that the clerk of assize, though deprived of the fees arising from taxation of costs, would be enabled to dispense with one of his assistants, and, being thus relieved from the payment of his salary, travelling expenses, board and lodging, would upon the whole be a considerable gainer in a pecuniary point of view.

It is important at the same time to show (what we have been careful to ascertain) that no inconvenience to the judges, and no impediment to the administration of justice upon the circuit, will be the consequence of depriving the circuit of the clerk of arraigns. We are perfectly satisfied that the clerk of assize, the associate, and the clerk of indictments, together with the two marshals, criers, &c., compose generally an adequate staff for every circuit; and the three first-mentioned officers being always named in the commission, we think that such an establishment would be sufficient to supply an extra officer when occasionally wanted to sit in a third criminal court, or to accompany any gentleman of rank sent forward to open the commission.

We consider it an additional recommendation of our plan that it may thus lead to a reduction of the present establishment of circuit officers. The absorption of one office into another, by the transfer of duties, appears to us to be always a most desirable mode of reducing the expenditure wherever it can be conveniently effected.

The reasons which have led us to recommend the substitution of salary for fees, in the case of the circuit and sessions officers, apply in a great measure to the case of the clerks to the magistrates at petty sessions; and, as applied to them, that mode of remuneration would open the way for certain new arrangements of the highest importance, which we shall now proceed to suggest.

Establishment of a regular Court of Petty Sessions recommended.

The petty sessions must be considered rather as a voluntary meeting of magistrates than as a court specifically recognised by law. It has neither a regular establishment of officers nor fixed periods of assembling, nor any formal or authentic memorial of its proceedings. Great complaints are made of the slovenly manner in which the business is transacted by clerks, from their education and situation in life, ill qualified for the duties. One correspondent makes the very reasonable remark, "If the offices of justice's clerk, chief constable, and surveyor of weights and measures, were to be held by different individuals it would be *better*."* Another complains of "the sad neglect and many mistakes arising from the business being divided among several clerks."† Many remonstrances are made against the sittings being held at public houses, and of the want of regularity in the proceedings. Yet, in consequence of the great frequency of those cases in which the concurrence of two magistrates is required, a large proportion of the business of the justices of the peace is now transacted at such meetings. The inconveniences which naturally flow from this want of regulation ought, in our opinion, to be removed by legislative provision. We would recommend that the magistrates assembled in their several divisions should constitute a court, to be called the court of petty sessions, the sittings of which should be held at fixed and frequent periods. Its principal officer should be styled the clerk of petty sessions, and its establishment should also comprise a constable or crier, to keep order in court and swear the witnesses. Both these officers should be paid by salary, out of the County Rate. The persons now acting in the capacity of clerks to the magistrates, (being members of the legal profession,) should be the first holders of the offices, and future vacancies should be filled up by the magistrates of the division; that is, by the major part of them duly assembled for the purpose of election.

The court of petty sessions ought to be declared a court of record, and it should be a part of the duty of the clerk to keep a record of the adjudications and orders of the magistrates, and also to record and levy the different fines and penalties imposed on conviction. It should also belong to his office to attend the examining magistrate, in the capacity of his clerk, in any case disposed of out of petty sessions, and keep a record of the orders made on those occasions.

But, supposing this officer to receive an adequate salary, higher duties than these might with propriety and advantage be confided to him, and through his means some glaring defects in the administrative branch of the criminal law might be satisfactorily supplied.

Clerk of Petty Sessions to be public Prosecutor for his Division.

It appears to us that it would be a great public benefit, as well as a great protection to the County Fund, if he were directed to perform the functions of *public prosecutor* for his division. By virtue of that office he might be charged, in the first place, to co-operate and act in concert with the heads of police, in the detection and pursuit of criminals. In the course of each prosecution the following specific duties should also devolve upon him. He should check the accounts of all

* Appendix B, p. 128 and 197. † Ibid., Paynter, p. 141, 142; and Nation, p. 163.

expenses incurred in the search and apprehension of the offender; a subject on which little or no control appears to be now exercised, and which will be more open to abuse when such expenses are generally allowed. He should superintend the allowance for time, trouble, and mileage awarded to the prosecutor and witnesses before commitment: see that they are conformable to the scale established by law, and certify their amount in due form to the court where the prisoner is tried. He should also direct and regulate the expenses of the conveyance to prison of all persons committed for further examination or trial; prescribe, in each particular case, the mode of conveyance to be adopted, and whether any, and what, assistants are required; and certify the correctness of the charge to the county treasurer whenever an order is signed by a magistrate for payment of the amount.

It should also belong to his province to conduct the prosecution of all persons committed for trial from his division, either for felonies or for such misdemeanors as are chargeable on the County Rate; and to act as attorney therein without extra charge. The expenses out of pocket would of course be allowed him by the taxing officer at the assizes, or by those employed for the like purpose in the local courts; and the charge for such expenses would be subject to the supervision and control of these authorities.

No measure of improvement, it is believed, would be more generally acceptable than that of committing the duty of prosecution to public officers. The prevention of improper expenditure, important as it is, would be perhaps its least important consequence. It is a strange and discreditable defect in our system of criminal law, that it makes no provision on this subject, and, consequently, throws the burthen of proceeding on the party injured. It is true that he ultimately obtains the county allowance of his expenses, but he is obliged in the mean time to employ a professional agent; and to him he is often liable, in the result, to extra costs to which the re-imbursement from the County Rate has not extended. Such is, on the whole, the annoyance of the position, that it often seems a less evil to be the victim of a crime than its prosecutor; and under the influence of this feeling, co-operating with a sentiment of compassion, offenders are allowed to escape in numerous instances where the public interest is strongly opposed to such forbearance.

"I have uniformly found," says an old and experienced magistrate*, "the greatest disinclination to prosecute for minor offences after the angry feelings of the moment, occasioned by the loss, have subsided, even when the offender is known; and fifty cases occur to one of this description, when the offender, with little exertion, might be detected and convicted, when the certainty of no remuneration for the trouble, the uncertainty of being repaid the actual expense of prosecution, besides the loss of time, (often the most valuable,) act as a complete bar to all proceedings."

It is also of frequent occurrence that prosecutions once threatened, or commenced, are compromised by secret agreement between the persons concerned. These considerations seem manifestly to indicate the propriety of appointing a public prosecutor; but the measure is attended in its ordinary shape with serious difficulties. If the office is to be permanent, (and it cannot conveniently be otherwise,) it seems highly objectionable to entrust to any single individual, or even to a board of several persons acting for large divisions of the kingdom, a function, the exercise of which is so open to suspicion and liable to abuse: and there is no little embarrassment in the consideration, that any particular person or persons in whom that office was vested, would have an absolute discretion in the choice of counsel, and the consequent patronage of the bar. These difficulties appear to us to be satisfactorily obviated by the arrangement we propose, which would divide the duty among a great variety of officers, acting independently of each other, and subject to the close observation of the magistrates by whom they were respectively appointed.

In the opinion of some persons, the functions of public prosecutor should be intrusted to a member of the bar. We do not allude here to the suggestion of a public prosecutor for the kingdom at large,—a question of general policy not within the scope of our inquiries; but to the scheme of appointing a public prosecutor for the county, selected from the barristers usually attending the sessions, and to be paid by salary out of the County Rate.†

We think the appointment of a barrister to fill the situation liable to many objections which do not apply in the case of a solicitor. The counsel attending the sessions should not have inducements to look to the favour of the magistrates.

* R. B. Purnell, Appendix B, p. 129.

† Report of Select Committee of House of Commons. Appendix A, Q. 806, General Sir James Bathurst.

The business conducted by counsel at sessions, should be open to the competition of all the barristers attending there. It is of the highest importance to the interests of the suitor and to the protection of the public, that the bar should continue removed from any dependence upon the bench. The bar should have no patron but the public, and the Crown acting for the good of the public. The open competition of the bar should be studiously maintained in a free country upon public grounds. For these reasons we think this project inadmissible. Indeed, in recommending that the clerks of petty sessions should be employed as public prosecutors, we do not mean that they should be intrusted with the exclusive duty of prosecution, or that private individuals should be prohibited from acting for themselves in this matter. For though it would be very desirable to prevent the resort to an indictment in frivolous cases, we think it inexpedient to vest in any authorities, however constituted, the power of absolutely withdrawing a criminal from prosecution. The only check that can with propriety be recommended for the prevention of frivolous cases, would be a regulation that no private prosecutor should be entitled to an allowance from the County Rate, whatever might be the description of the offence: we think, however, that his sanction should be essential to the settling or compounding any case once instituted.

An incidental advantage of a kind not yet noticed, would result from intrusting the duty of prosecution to a public officer. Considerable inconvenience is now felt at the assizes from the impossibility of regulating the order in which the cases shall be presented to the grand jury. As private prosecutors choose their own time, it often happens that at the outset there are not sufficient bills to keep the grand jury in employment, while at other periods the accumulation is such and the progress so slow, as to keep prosecutors and witnesses in unnecessary attendance for several days in succession. The establishment of local courts would itself afford so great a relief to the assizes, as sufficiently to prevent this inconvenience; but supposing that part of our arrangements not to be adopted, it would then constitute one of the recommendations of our plan, with respect to the clerks of petty sessions, that they might, in concert with each other, marshall the prosecutions and appoint certain days in each for the attendance of the witnesses, having regard to the state of the business and the probable duration of the assizes. When collected in the assize town, it would be the care of such officers to have the witnesses kept together, and conducted at once from the court where they are sworn to the grand jury room, a duty which is much neglected at present. In this view, therefore, as well as in the others before particularized, the plan would tend not less to the convenience of the public than to the protection of the County Fund from improper expenditure.

Mode in which Expenditure in Prosecutions may be more effectually checked.

Placed in communication with the clerk of the peace at every assize and quarter sessions, it would be the duty of the clerk of the petty sessions to afford the former officer all information and assistance in his power, in checking the charges and taxing the costs of prosecutions. Nothing indeed can so effectually secure a vigilant superintendence over county expenditure, as the establishment of a chain of checks. It results from our proposal, that the constable will be checked by the clerk of petty sessions; the clerk of petty sessions by the clerk of the peace; the clerk of the peace by the treasurer; and the treasurer by the county council or board of audit.

The first step in the series,—the duty of the clerk of petty sessions to supervise and check the expenses incurred in the pursuit and apprehension of offenders and the allowances for conveyance to gaol, and to certify their correctness,—has been already noticed. The next refers to the duty of the clerk of the peace in taxing the costs before the committing magistrate; when he should require from the clerk of the petty sessions sufficient vouchers for every item of charge, and call upon that officer to certify their exact conformity to the established scale of allowance. The third relates to the duty of the clerk of the peace, in taxing the costs for expenses at the trial; when it will be incumbent upon him to ascertain with exactness the number of witnesses actually attending in court, their station in life, the time occupied, and the distance they have travelled respectively; and to specify and certify the same in his orders upon the county treasurer for the expenses. The treasurer, together with the order of the clerk of the peace for payment of expenses, should receive (and must always require) 1st the magistrate's certificate (in original) with a declaration indorsed upon it that all the charges made, have been vouched to him by the petty sessions clerk; and 2dly, a certificate by the clerk of the peace himself, that he has carefully examined and verified the correctness of all the charges and allowances at the trial.

It will be part of the duty of the treasurer, which has not yet been mentioned, to require with every magistrate's order for the expenses of conveyance to prison, not only the gaoler's receipt for the prisoner, but also a certificate from the clerk of petty sessions that the prescribed rules have been observed, and none but defined and proper expenses allowed. Finally, all such orders and certificates must, with the required specifications, be laid before the Board of Audit or Permanent Finance Committee, as vouchers for the payments charged by such treasurer. Thus will the county be able to ensure a more regular and vigilant control over the expenditure, while the magistrates, (without being disregarded, or actually pretermitted,) may be relieved from much responsibility and unpleasant duty.

We may take this opportunity to notice a plan prepared by a zealous and active magistrate* for the "amelioration of the magisterial jurisprudence of England;" the effect of which would be to oust the magistrates of much of their jurisdiction at petty sessions. The worthy magistrate complaining, not without reason of the difficulty which frequently occurs, from not finding a magistrate at his place of residence in the country, at times when he is required to receive a charge or take an examination, proposes the appointment of an official visiting magistrate to supersede the ordinary justices in the practice of commitment. But it does not appear to us that this change would be of beneficial tendency. We regard the country magistracy as peculiarly valuable in their capacity of conservators of the peace, and examining justices. Their acquaintance with the character and manner of life of all persons living in their immediate neighbourhood, gives them advantages which no visiting magistrate could, in the nature of things, possess; and the local influence derived from the exercise of these functions by gentlemen residing on the spot where the commitment takes place, appears to us to be of salutary effect as regards the public interests.

Irregular Practice as to the Appropriation of Magistrates' Clerks' Fees.

We are surprised to find that there are magistrates who derive personal benefit from the fees payable to their clerks. In some cases where a magistrate acts as his own clerk, it appears that he appropriates the fees; in others, a salary is paid by a petty session to a clerk, out of the fees, and the surplus is applied as the magistrates think proper. In some instances, a person holds the situation of clerk to a magistrate, who is at the same time employed as his steward, a domestic servant, or as the usher of his school. It is also an occasional occurrence that the clerk pays out of the fees for the dinners given at certain annual meetings of the magistrates.

In justification of this statement, we must here copy some of the communications which we have received upon the subject, and refer to some of the returns received from magistrates themselves:—

"I beg," says a correspondent, "to call the particular attention of the Commissioners to a practice which has been but too prevalent in this neighbourhood. I mean that of magistrates *themselves* taking fees out of petty sessions for their official acts. A practice more derogatory, or more likely to produce unfavourable impressions in the suitors, as to the fair and impartial administration of justice cannot be imagined, and the Commissioners would do well to stigmatize it as it deserves."†

"I have reason to believe," observes another magistrate, "that a few cases do exist in which magistrates apply fees to their own emolument, however disgraceful such proceedings may be."‡

"When it happens, as in this case in my own immediate neighbourhood," is the remark of another gentleman, "that the clerk is the justice's steward, and who, it is suspected, has nothing except what the justice can throw in his way, I am not far wrong in supposing the justice interested in promoting the receipt of large fees; and none so well paid as some of the unpaid."§

We now beg leave to refer to Magistrates' Returns for Thirsk;—with a memorandum explaining the particulars of the disbursements.‖ Also to magistrates' returns for Howden, Market-Weighton, Dickering, Rutland, and Kettering, contained in the Appendix to this Report.

We have no doubt, that the irregular appropriation of fees above referred to, is attributable to an erroneous impression entertained by the parties concerned, that such course of proceeding was not prohibited by law.¶ But we take it to be clear, that the practice is as illegal, as it is manifestly inexpedient. If the practice indeed were general, nothing could have a more direct tendency to bring the magistracy into disrepute. The spirit of the body at large, however, is not only

* Appendix B, Dyer, p. 101. † Ibid. p. 151. ‡ Ibid. § Ibid. p. 197
‖ Ibid. pp. 151, 152. ¶ Ibid. p. 158.

pure, but disinterested and liberal. Many of them incur great expense on account of the public, for which no remuneration can be expected; and even the legal allowance of *wages* to the justices who attend the sessions, is sometimes applied to charitable in lieu of personal purposes.* We may take this opportunity of remarking, that this is a stipend which ought to be discontinued; it originated in remote times, and the allowance of it is at the present day an unmeaning observance, wholly inadequate to its apparent object of affording remuneration for the expenses incurred by attendance at sessions.

II.—Fees and Emoluments received by certain Officers charged on the County Rate.

County Treasurer.

The Treasurer is generally paid by salary, and sometimes also, by balances left in his hands. Upon the plan, however, suggested in a former part of this Report, for improving the efficiency of the clerks of the peace and the clerks of petty session, all orders for payments might undergo the previous inspection of those officers, and bear their signatures respectively: and as the functions of the treasurer would in that case become merely ministerial, and he would no longer be responsible for the conformity of such orders to law, but only for their being duly certified by the proper authorities, a smaller measure of remuneration might suffice. The money thus saved might be usefully expended in engaging the services of a regular accountant for the assistance of the county treasurer in preparing estimates, quarterly statements of receipt and expenditure, and abstracts thereof, and bringing them in a proper shape before the auditors.

The form of a quarterly and annual detailed account of county expenditure recommended by a committee of magistrates for the county of Berks,† appears to us deserving of particular attention. It is a suggestion of another correspondent of the same county, "that the law should enact, that the accounts of the county treasurer should (under a penalty) be at all seasonable hours open to the inspection of one or two magistrates of the county, if not of the rate-payers generally."‡ The ground of such recommendation is stated to be the extraordinary fact of the refusal of a treasurer to attend with his books before a finance committee; the alleged inaccuracy of his printed particulars of receipts and disbursements, and the circumstance of his having in open court repudiated his own published accounts. A considerable diminution of expenditure was the result of the inquiries of that committee, as will be seen on reference to the interesting communication from the chairman.§

Another correspondent observes: "The printed statements of the expenditure in some counties are published in such a manner as to be of little use in showing sufficiently the different items; and as a detailed account of the expenses is one of the best checks upon any improper expenditure of the County Rate, it is perhaps one of the most desirable objects to be obtained in every county. Staffordshire and Lancashire have published detailed statements which might serve as a model to other counties."‖

High Constable.

The High Constable is appointed for a hundred or other division of a county. As a peace officer, his authority seems to be exclusively limited to those parts of his hundred which lie within no petty constablewick. He has, in practice at least, no control over the petty constables of his district, except as it is incumbent upon him to notice and present their defaults.

One of his principal functions is the collection of the County Rate. He has also to serve notices and summonses on various occasions.¶

The duties of this office indeed are very numerous, and their precise nature and extent are not generally understood, nor always accurately defined by the law. Some account of them will be found in the Appendix, under the head of "Questions addressed by this Commission to certain High Constables, with their Answers thereto."**

With respect to this officer's claim to remuneration, it may be also stated, that there is no settled opinion or uniform practice. A witness says, that in Yorkshire "the high constables had received in the year ending 4th April, 1831, £493. 2*s*. 6*d*. for their bills for various business, and £1,075 for collecting the Riding rate, a service

* Appendix A, Q. 774. General Sir James Bathurst (as to excellent application of wages in Somersetshire).

† Appendix B, p. 173.

‡ Ibid. p. 169, Court.

§ Ibid. Bulkeley, p. 170.

‖ Ibid. Sir B. Leighton, p. 135.

¶ Appendix A, Q. 149, 150, 152.

** Appendix C, p. 94 *a*.

including nothing but receiving the Riding rate with one hand and paying it over with the other. The other demand is for executing the magistrate's process, and that work is very imperfectly done; for very frequently it turns out that the case fails, because the high constable has sent the process by a butcher or somebody else, rather than send a special messenger at his own expense, which he ought to do; and so the case breaks down for want of proof of service."* The magistrates of Lincoln† among other alterations of the law foreign to this branch of our subject, suggest "that the duties of the high constable should be defined by Act of Parliament, and that an annual salary, to be fixed by the justices in quarter sessions, should be paid out of the County Rate in lieu of the fees now taken."

A Worcestershire magistrate‡ finding that in many counties a total ignorance of the subject of high constables prevails even among magistrates, enters into some minute but not unimportant statements.

His attention, this gentleman says, was first drawn to the subject from finding great interest made for the appointment of high constable upon every vacancy, whilst in the county of Gloucester *nothing*, and in that of Worcester only 1*s*. per precept was allowed for the very responsible duty of collecting the County Rates.

A Lincolnshire magistrate§ observes, "Some years ago our justices made a scrutiny into this matter. We found the emolument various; some took a gross sum from the County Rate collected; some took a poundage; some took a fee per township. I suspect there were frauds occasionally on townships through these undefined demands."

In Lancashire the high constable is paid by salary out of the County Rate, and from no other fund.

In Kent (it is believed) the high constable is paid by fees from parishes only.

In Essex the high constable is paid by allowance out of the County Rate and by fees from parishes also.

In Norfolk the high constable is paid a stipulated sum (a compensation of 5*s*.) from every parish within his district.

In Worcestershire the high constable is not allowed to receive anything from the parishes, but is paid 1*s*. for each precept issued by him to overseers; 5*s*. for his attendance at sessions; and 4*d*. per mile for travelling expenses.

In Derbyshire the magistrates in quarter sessions established a table of fees divided into two columns, one containing the fees to be paid by every petty constable for notices, precepts, delivery of warrants, &c.; the other column consisting of fees to be paid by the county treasurer to the high constable, "for apportioning, collecting, and levying by distress, (when necessary,) and paying over and accounting for the County Rate quarterly;" "collecting assessments on damages against the hundred;" "and receiving and accounting for all fines and penalties," the sum of 6*d*. in the pound, but not exceeding £12. 10*s*. for any one rate.

Thus it will be seen that the high constable is paid for his services sometimes by allowances of a certain sum in the pound, sometimes by salary, and sometimes by fees, and sometimes by salary and fees; and that these fees are received sometimes from the County Rate, and occasionally from other funds.

In some counties, indeed (as in Gloucester and Surrey), no remuneration of any kind is allowed, the office being considered compulsory.

It certainly, however, appears to us that the high constable ought to be remunerated; and that the quantum and mode of payment should be regulated upon some uniform principle.

In some instances, to one of which we have just referred, the justices have framed tables of fees to be taken from each township according to the duty done.

But the validity of the proceeding has been questioned, and in practice the fees cannot be enforced.‖ In like manner certain fixed payments heretofore made by each parish of a district¶ to the high constable, as a remuneration for collecting the rate and carrying it over to the treasurer, (sometimes to a considerable distance,) are now in some places resisted. It appears to us, upon the whole, that so long as this officer shall be retained, (if his retention be deemed expedient,) it would be convenient to provide for him by the same mode of payment that we have recommended in the case of the clerk of the peace and other functionaries, viz., a salary proportioned to his services. With respect to that part of the duties of the

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* Appendix A, Sir C. Smith, Q. 505.
† Appendix B, Dymoke and others, p. 123.
‡ Ibid. Major General Marriott, p. 117.
§ Ibid. p. 122. Sir E. Bromhead.
‖ Ibid. Grove, p. 127.
¶ Ibid. Austin and Claridge, p. 130.

high constable that relates to serving notices, summonses, &c., we think, in the event of the establishment of a new system of police, that such services might advantageously be transferred to the police officers; and as to the collection of the County Rate, he might also be relieved from this duty, as there seems to be no reason why the overseers of parishes should not pay its amount immediately into the hands of the county treasurer without the intervention of any other officer.

We have received complaints not only as to the manner in which the high constable is at present remunerated for this duty, but also as to the mode in which the duty is executed. "I found," says a Worcestershire magistrate, "that no individual of the county, and few overseers of parishes, knew what each paid to the County Rate. That in general the high constable sent a note on loose paper, saying, 'Send me so much for your quarter rate,' which was immediately done; and this scrap was the only voucher for the payment. On comparing a variety of these vouchers with the precepts, I could not find one instance when it corresponded with any *per centage* ordered; and, upon investigation it turned out that a variety of charges were added for postages, expense of collection, stamps, &c., which were paid by the parish in addition to the County Rate. When each parish knew its own contribution from a table directed to be published, a general complaint was made of being overrated, and this led to a new valuation of the whole county."

Our correspondent then refers to an Order of Court upon the subject, of which "the first column shows the amount at which each parish is assessed, and the subsequent columns the amount of $\frac{1}{4}d.$, $\frac{1}{2}d.$, $\frac{3}{4}d.$, and $1d.$ per centage upon the valuation; so that when the chairman has announced in open court the amount of rate, (which is also published in the newspapers,) all overseers know exactly what each parish has to contribute; and any individual knowing his share of poor rate (as 1-10th or 1-15th) may easily ascertain the amount of his County Rate."

To prevent injury to parishes from fraud or accident, it appears to the Commissioners that the county assessment should in all cases be printed and circulated in every county, when each parish, knowing the amount in the pound required, may calculate exactly what it is called upon to contribute.

Petty Constables, or Headboroughs.

The mode of appointment, duties, and fees of these officers have been already very fully considered in an early part of this Report, under the head of Police.

Sheriff.

The only instance among the sheriff's fees of a charge upon the County Rate is the *liberate* fee, or fee in lieu of the *liberate* fee, imposed on the County Rate by 55 Geo. III., c. 50.

We had prepared a form of table to be sent to all sheriffs of counties requiring an account of all fees and emoluments of whatever description received by these officers, distinguishing the different heads of charge. But finding doubts entertained as to our jurisdiction and authority to inquire into any fees unconnected with the County-Rate, and being ourselves of opinion that the terms used in our commission, viz., "fees arising out of public business," must be taken to exclude the receipts in causes between party and party, we did not deem it expedient to pursue the inquiry further in that direction. We, however, applied for and procured the particulars of the charges of every kind comprised and allowed in the sheriff's bill of cravings, and also his charges for conviction money payable to him by your Majesty's Treasury; both of which returns will be found reduced into tables, and inserted in the Appendix to this Report.*

Before the doubt to which we have alluded occurred, we had proceeded a sufficient length in our investigation to be satisfied that very different fees are taken for the same service by different sheriffs, and we are convinced that it would be of great importance to institute an inquiry into the receipts of sheriffs at large, including such of them as are connected with the subject of arrest, imprisonment, and executions, whether in civil or criminal cases.

Coroner.

This office is still elective:† certainly a questionable mode of appointing a judicial functionary It is suggested that the appointment should be in the Chief Justice of the King's Bench, as supreme coroner; but this nomination might be considered equally objectionable, as conferring too great an extent of patronage. In municipal boroughs there is usually a coroner for the borough, and the town council appoints such coroner. There is no provision for electing a coroner in any of the metropolitan or parliamentary boroughs, not being municipal, however extensive or populous they may be.

* Appendix C, pp. 51, 53. † Appendix A, Gude, Q. 1244, *et seq.*

The duties of the coroner are familiarly known, and, though complained of as obtrusive in particular instances, yet the control exercised by this officer is too salutary in its tendency to be disturbed on light grounds.

The coroner is paid by fees. They are all fixed by statute; but those on inquests, and the travelling connected therewith, are the only charges on the County Rate. His receipts of every description will be found enumerated in the examination of the deputy coroner for Middlesex, contained in the Appendix.*

The fee of 20*s.* for taking an inquest, however long an inquiry may last, is certainly inadequate to the service.

The allowance per mile for journeys is also rather scanty, and yet a very unnecessary expense is incurred under this head in consequence of the great distance which a coroner has sometimes to travel.

In a district of reduced extent, (20 miles is suggested as the limit,) a fee of 40*s.*, without travelling expenses, would be satisfactory to the officer, and we think not unfair to the public.

We are also of opinion that there should be an allowance to witnesses attending before the coroner. We think that the coroner should have the power of making an order upon the treasurer of the county, for a fee of £1 to be paid to every medical practitioner called upon to attend an inquest. He ought also to be empowered to make an order for the same allowance for loss of time and mileage in the case of other witnesses (when taken four miles out of the town or place in which they live) as would be paid them for attending at the sessions.

The case of deaths in prison is not provided for by the statute 25 Geo, 2, c. 29, which gives the fee of 20*s.* and travelling expenses to coroners; a circumstance which explains the charge upon the relations of a deceased debtor in the King's Bench prison, referred to by the coroner examined, as a peculiar hardship. The fee of 13*s.* 4*d.* for every inquest taken in Newgate is an allowance by the Corporation of London. We think that, when not provided for out of corporate or borough funds, a fee of the same amount (13*s.* 4*d.*) should be allowed out of the County Rate, for every inquest taken in prison.

Gaolers.

In the greater number of counties the gaoler's fees are abolished, and a sum certain paid by the county is substituted for them. But fees continue to be received by gaolers in the following counties of England and Wales:

Brecknock	Glamorgan	Salop
Cambridge	Hereford	Somerset
Cornwall	Leicester	Sussex
Cumberland	Monmouth	Worcester
Derby	Norwich City	York City
Essex	Northampton	Yorkshire, North Riding.
Exeter City		

The fees vary in amount, but the usual heads of charges are the following:—

Fees upon commitments—
- Every debtor committed.
- Every felon and misdemeanant committed.
- For every defendant committed for examination.
  - In the day.
  - In the night.

Liberate Fees—
- On discharge of debtors from prison.
  - In the first action.
  - In every other action.

Copies—
- Of causes.
- Of warrants.
- Of commitments or other documents.

Certificate Fees—
- Fee on an attorney serving a declaration.
- Fees under Insolvent Debtors' Act.
- Notices for scheduling, &c.
- Fee on a private whipping.

Perquisites, Advantages, &c.—
- The privilege of letting furnished apartments to gentlemen debtors.

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* Appendix A, p. 80.

The mode of payment by fees, in the case of gaolers, is liable to so many objections that we deeply regret to have to report that it still prevails to so great an extent.

III.—The Privilege claimed by certain Towns, Districts, and Liberties of Exemption from County Rate.

Exempt Jurisdiction.

The law, with respect to exempt jurisdictions, prior to the passing of the late Municipal Act, 5 and 6 Will. IV., c. 76, and at the period when the returns in the Appendix were called for by this Commission, was as follows:—

Liberties or parishes, having justices of the peace of their own, with a separate jurisdiction co-extensive with that possessed by the county magistrates,* and subject before the 55 Geo. III., c. 51, to a rate of their own, in the nature of a County Rate, were expressly excluded from the operation of that Act, and, consequently, not liable to contribute to the general County Rate.

There were also liberties which were especially made exempt from such contributions by some grant or charter, containing provisions that the county officers should not intermeddle or exercise jurisdiction there.† But by section 24 of the same Act it was provided, as to every place having a commission of the peace within itself, and not subject to the jurisdiction of the commission for the county at large, nor contributing to the general County Rate, that it should be left for the justices of the peace acting for such separate jurisdiction to raise within its limits a rate in the nature of a County Rate.

No place, as it would seem, could be legally exempt from the general County Rate, unless it was in one of the predicaments referred to by the Act, *i.e.* unless it either possessed magistrates with a separate jurisdiction co-extensive with that of the county magistrates, or was specially exempted by charter or grant, or by some Act of Parliament.

In the Appendix will be found tables enumerating the different places, which, prior to the Municipal Act, claimed exemption, and the grounds on which such claims were respectively made. Another table shows the number and average expense of prosecutions in such of them as defrayed their own charges out of a local rate, in the nature of a County Rate, and the amount of the burthen which in some instances, they threw upon the county, under the particular head of gaols and maintenance. As to many of the places comprised in the tables, the grounds of exemption stated appear to be manifestly insufficient. But the whole subject is now divested of the importance which formerly belonged to it, by the effect of the Municipal Act, the provisions of which merge in an entirely new system the claim of exemption from the County Rate, on the ground of exclusive jurisdiction, or charters, &c., with non-intromittent clauses; it being enacted with respect to all places which shall not obtain a grant of a separate court of quarter sessions, that the county justices shall have jurisdiction there; and with respect to those to which such grant is made, that they shall in every case raise a borough rate of their own, and thereout pay their proportion of the county expenditure. One of the tables referred to exhibits the great difference of expense in the two cases where a prisoner committed in an exempt jurisdiction was tried within its limits, and when he was tried at the assizes. The great comparative cheapness of the former mode of proceeding supplies a strong illustration, in addition to those already offered, of the saving which would attend the institution of local courts.

We proceed to offer, in conclusion, some detached remarks on collateral topics, and first upon certain

Conveyance.

Additional Charges on County Rate, connected with Crime.

The subject of conveyance may be thus distributed:—

1st. Conveyance to gaol, in the first instance, by the constable.

2d. Conveyance by gaoler, on commitments for further examination.

3d. Conveyance by gaoler, from one prison to another, for the prisoner to take his trial, or undergo his punishment.

4th. Conveyance of transports.

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* Rex *v.* Clarke, 5 Barn. and Ald. 672. † See 55 Geo. III., c. 51.

1. The expenses of conveyance of prisoners to gaol by constables, are paid by the treasurer of the county, upon a justice's order. This item of expenditure is necessarily swelled by the distance of populous districts of a county from the place where gaols are situate. "Sedbergh," says a correspondent, "is 75 miles from Wakefield House of Correction.* If a man be fined 5*s.* for any offence under Peel's Act, and cannot pay, he has to be taken 75 miles."

"It not unfrequently happens," say other correspondents,† "that a prisoner is committed for non-payment of a small penalty or for want of sureties of the peace, which, from obstinacy, he refuses to pay; but on his arrival at the county prison, many miles distant, the money is paid or the sureties are produced; and the expense incurred by the county for conveyance is (in the case of a penalty) perhaps more than the amount for which the prisoner has been committed."

In Bucks, as it is represented to us, the only gaol and house of correction is at Aylesbury, nearly 30 miles from Eton, to which every prisoner for trial and every defendant convicted must be conveyed at an expense of £1. 17*s.* 6*d.* per head. The consequence is, that prosecutors are unwilling to lose the time required to go so great a distance, and magistrates are sometimes unwilling to convict, and throw so much expense upon the county.‡

The allowances of the magistrates under this head are said to be very irregular, and there is a great want of an efficient control. The abuses chiefly occurring in practice are:—the constables often put down more days than they are allowed, and make the *maximum* allowance for travelling and dietary stated by magistrates a sanction for that amount of charge in every case, whether the sum were expended or not.

It is also stated by a Surrey magistrate, that where several commitments take place at the same time, (as is often the case at benches of justices,) as many constables must be employed as there are prisoners, because they must be sent to different gaols, according to their crimes, under the statute for classification.§

2. In many towns and in most rural districts, for want of a proper place for safe custody on the spot, the county bears the expense of conveying a prisoner backward and forward for re-examination, sometimes a considerable distance. "When we had a prison at Barnet," said an examinant, "we could keep prisoners accused there for a week, during an investigation, but now we are obliged to keep a man under charge, committed for further examination, at St. Alban's or Watford, and to send him to and fro every time for re-examination."‖

Sometimes, to save the expense of further examinations, very objectionable measures are resorted to; as,—prisoners are committed for trial on insufficient evidence, or left in the care of the constable at a public house with every risk of escape, or conveyed, with very questionable legal authority, to a gaol under some neighbouring jurisdiction.¶ The charge of this branch of conveyance has not always been what it actually cost; the gaoler has in some counties been allowed to make a profit under this head of expenditure. A report of a committee of magistrates in Norfolk supplies an instance of this abuse. "It seems," they observe, "that the gaoler keeps horses at his own expense, and that when he removes a prisoner for trial, sentence, or examination, he charges the cost of post-horses; also ten shillings per day for himself, and half-a-crown per night when absent. The extent of the charges may be best understood by stating two of them.

	£	*s.*	*d.*
"Conveying three prisoners to Norwich sessions .	7	18	0
"Conveying one to Walsingham	1	14	0

"At Walsingham the keeper charges the actual expenditure, and produces *vouchers* for the same. His charge is only 7*s.* per day, and 1*s.* per night. Your committee would recommend that, on conveying prisoners for examination, the order should be signed by the committing magistrate for the usual constable's allowance; and the expense of conveying prisoners for trial and sentence, which comes under the cognizance of the visiting justices at each prison, ought not to exceed that allowance, unless good cause to the contrary can be shown. The less frequently a keeper is taken from his prison the better; and, whenever the constable of the parish can remove a prisoner for examination, it is advisable he be employed."**

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* Appendix B, Fawcett, p. 112. † Ibid. p. 118, Magistrates of Gateshead.
‡ Ibid. Swabey, p. 202. § Ibid. Dyer, p. 102. ‖ Appendix A, Q. 545, Dimsdale.
¶ Appendix B, p. 203, Hexter.
** Extract from Report of Magistrates of Norfolk, Appendix B, p. 202.

3. " It often happens," says the Surrey magistrate before cited, " that a magistrate has to send a prisoner to a gaol at a great distance, where in a few days such prisoner will be brought to be tried to a gaol within a short distance of the place where his commitment takes place." Many, however, of the defects in the law upon this subject which we had occasion to expose in our preliminary Report have been since corrected by the Act of last session, 5 and 6 Will. IV. c. 38.

4. An opinion is expressed by a competent judge,* that " arrangements might be made by contract by the Government, for the transmission of convicts from every part of the country, at a much smaller rate than individuals, counties, or communities, could effect."

This head of charge is understood to be now undertaken by the Government.

The same gentleman proposes to get rid of the charge of conveyance before trial, by local courts.

Gaols and Maintenance.

The valuable Reports of the Select Committee of the House of Lords, upon the subject of Gaols, (Sessions 1835,) afford the completest and most recent information upon the economy and discipline of prisons.

The Gaol Reports abound with confirmatory evidence of the correctness of our opinion expressed in the preliminary Report, that next to preventing crime (the primary object) the first step to be taken towards its repression is keeping young, or first offenders, or those who are innocent or comparatively so, from the contamination of a prison. It is satisfactory to us to find Messrs. Crawfurd, Hoare, and other experienced and intelligent witnesses, concurring in the opinion, that many persons may be saved the pain and injury of being committed to prison, and entertaining nearly the same views upon the importance of speedy trial as those we have already had occasion to express.

The Select Committee of the House of Lords, in their Second Report upon the County Rate, observe:—" Heavy expenses are incurred by the detention and maintenance of prisoners in the several gaols and houses of correction." In calculating the expenses of imprisonment before trial, it seems not improper to take into account, besides the subsistence of the prisoners, the outlay for building gaols and houses of correction,—and their establishments, and salaries to officers.† An intelligent correspondent,‡ to whom we are indebted for many valuable communications, observes under this head: " The unequal division of the year in respect of assizes, besides the evil of keeping an innocent man possibly eight months in prison, increases the expenses of maintenance. Let 300 persons be committed in a year; if they are delivered every six months, there are 150 on an average three months in prison, and 150 more the same,—total 900 months' maintenance: but if the deliveries are at eight and four months, then 200 average four months' imprisonment, and 100 average two months,—total 1,000 months: and it is not merely the expense of keep, but the prison must be so much larger and more than so much, for a good prison should be suited to the largest number it will have to contain, not to the average number."

" A man steals a faggot worth 3*d.* in this neighbourhood" (eleven miles from Hertford), observes a correspondent; " if the offender is committed soon after the quarter session, this man must be kept at the expense of the county for near three months, besides the cost of his conveyance to gaol."

Add—that there can be no employment of those imprisoned before trial, and the imprisonment after trial (the only time for the really salutary discipline of a gaol,) is usually shortened in consideration of the long previous imprisonment.

With the size of the gaol, the establishment is necessarily increased.

The County Rate expenditure as to gaols, &c., is augmented by other causes connected with the present system of imprisonment, and the state of the law affecting it.

The gaoler is the sheriff's servant, appointed and removable by the sheriff, though paid out of the County Rate; the justices in sessions fixing the amount of his salary. The responsibility of the sheriff increases the amount of the gaoler's salary as the gaoler is obliged to find security.

A large part of the expense of gaols in counties is occasioned by the confinement of debtors, though no reason is apparent why the counties should incur any expense on that account.

It is obvious that the day rooms and cells of gaols, the number of officers, and amount of their salaries, are greatly increased by the number of debtors.

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* Mr. Hume, Appendix A. Q. 873. † Saville Onley, Appendix B, p. 114.
‡ Ibid., General C. Bathurst, Lidney Park, Gloucestershire.

Debtors are divisible into three classes:—

1. Those who maintain themselves.
2. Those who are maintained by the county.
3. Those who are maintained by Government.

As regards the two first:—It is said that, by the returns of persons imprisoned for debt in 1832,* in England and Wales, the gross number was 16,470, of whom 4,093 maintained themselves; so that three-fourths of the whole number were too poor to provide themselves with bread.

The debtors, whose subsistence thus falls upon counties, are sometimes from city commitments.†

As to the third class:—Capital convicts at the assizes are supported by the county, and the county receives from the sheriff 2*s.* 6*d.* per week for their keep, for so long a period as they remain in the county gaol.‡

In the case of revenue prisoners and smugglers, the Board of Customs makes an allowance for provisions to such of those prisoners as are certified to them to be incapable of providing for themselves; this subsistence money is paid to the gaoler.

In the case of revenue prisoners in confinement for hard labour instead of sending them to sea, the Act authorizing the commutation of punishment, provides that the expenses attending their confinement shall be repaid by the Customs.

Soldiers confined by order of court martial are paid for from the Horse Guards.

The principal part of the expense of maintenance, it is remarked, "appears to be from the long detention of prisoners before trial.§ On the plan of speedy trial, the accumulation of prisoners would not take place; and that appears by much the best way in which the expense of maintenance can be reduced. By the delay of trial and long imprisonment the expense to the county is incurred, and the offender's family often becomes a burden on the parish; not only during the imprisonment of the head of the family, but afterwards through his morals being ruined or his industrious habits destroyed by his gaol associates."‖

"By local courts and speedy trials, three-fourths of the whole expense incurred for the maintenance of prisoners would be saved." The trial would take place almost immediately after the commission of the offence, and the innocent, or first offender, might never be sent to prison at all.¶

Payments on account of vagrants are no longer a heavy charge on the County Rate; and the same remark applies to payments on account of the militia.

Discharged Prisoners on route.

But the abuse, noticed in our preliminary Report, in the allowances to discharged prisoners on route, continues to prevail with every circumstance of aggravation; as not only fraud, but also forgery, to a great extent is found to be practised.** Besides the cases referred to in the Appendix to the present Report, we have now before us documents showing that in the months of January and February of the present year, the following payments were made to persons travelling from Reading to Newbury with forged vagrant passes:

Result of Inquiry at such Gaols.	From what Gaol pretended to be passed.	Number of People.	Payments.		
			£.	*s.*	*d.*
Not discharged by pass or otherwise	Maidstone . . .	594	40	18	1½
All forged	Chelmsford . . .	358	26	19	0½
All forged	Sandwich . . .	135	10	1	10½
Returned letter . . .	Rochester . . .	124	9	4	10½
Have none but debtors .	Dovor	96	7	3	1
None such granted . .	Canterbury . . .	76	5	4	0½
All forged	Hertford	51	3	17	2½
Not granted	Ipswich	47	3	11	6½
	Lewes	12	0	16	4
	Brixton	1	0	1	0¾
	Total people .	1,449	107	17	2¼

* Appendix B, Seymour, p. 145. † Ibid., p. 149. ‡ 1 Gaol Report, Brierly, p. 272.
§ Appendix A, Q. 852, 853. ‖ Ibid., Q. 875. ¶ Appendix B, Saville Onley, 114.
** Ibid., Bathurst, Tucker, Cayne, p. 144, 145.

We extract the account of payments obtained under these forged passes in one day, as a specimen of the whole:

Names.	Date.	From what Gaol.	No. of Family.	Payments.
				£. s. d.
Harriott Collins . .	21st February	Maidstone .	10	0 14 10½
Anne Skinner . . .	,,	,,	10	0 14 10½
Mary Bince	,,	,,	10	0 14 10½
Mary Lilley	,,	,,	10	0 14 10½
Anne Creighton . .	,,	,,	10	0 14 10½
Hannah Tagg . . .	,,	,,	10	0 14 10½
Jane Mills	,,	,,	9	0 13 5½
Mary Storks . . .	,,	,,	9	0 13 5½
Jane Sampson . . .	,,	,,	9	0 13 5½
Jane Bonner . . .	,,	,,	9	0 13 5½

For the eradication of this mischief, we invite attention to the suggestion of the magistrates of Westmorland, contained in a minute of their proceedings which will be found at length in the Appendix to this Report.* They observe that "justices in the South of England, by applying to convicted vagrants the provisions of 5 Geo. IV. c. 85, which seem to have reference only to prisoners who have been convicted on trial by jury, and undergone sentences of imprisonment passed by courts of assize and quarter sessions, have in fact revived the old vagrant law, which brought such heavy charges on the northern counties, and gave rise to every species of imposition, and which was repealed by 5 Geo. IV. c. 83. As the only effectual remedy, the court begs leave to recommend the total repeal of sections 22, 23, 24, 25 and 26 of the statute above cited, 5 Geo. IV. c. 85, provision having been made in a much better manner for supplying to discharged prisoners the means of returning to their homes by 4 Geo. IV. c. 64, s. 16 and 39. A moderate sum of money given to prisoners on their discharge, at the discretion of visiting justices, would answer the purposes intended without opening a wide door to misinterpretation of law, and the frauds and impositions now practised on counties by false representations, counterfeit passes," &c.

The next of the collateral topics to which we proposed to refer will be

Expenses connected with Crime not charged upon the County Rate.

In Informations and Proceedings upon Petty Trespass Act, Assaults, &c.

The expense and difficulty attending every case in first bringing it before a magistrate, are said to operate as a check to the punishment of criminals. The uncertainty of finding magistrates at home, when they reside at a distance, materially aggravates the inconvenience. These impediments to justice greatly increase the offender's chances of escape, and offer strong inducements to accept of compositions.

The demand of fees on preferring a charge must in many cases, operate as a denial of justice. Can it be expected that a poor person, aggrieved by stealing his potatoes or honey, who can only, by constant labour and great prudence keep himself and family from the workhouse, should add several shillings to the value of the mischief already sustained?†

Expenses on summary convictions under the Petty Trespass Act, or on a penal statute, (if commitment takes place,) amount to 13*s.* or 14*s.* at least, according to the statement made to us by an acting magistrate.

To this add constable's expenses, about 6*s.* and attendance of witnesses 3*s.* or 4*s.* more; so that £1. 2*s.* or £1. 3*s.* is incurred when it ought not to exceed half the amount. The consequence is the petty culprit injures or steals with impunity.

"In almost all cases for petty offences," observes a Hampshire magistrate,‡ "the expenses exceed treble the fine. The information, summons, oath, conviction, and constable, amounting to 11*s.* 6*d.*, go into the pocket of the clerk: when the lower class is concerned, 15*s.* is a large amount, therefore the fine is apportioned 3*s.* 6*d.* The high charge often deters me from adjudicating the fine what it ought to be."

Again, the effect of the fees is to raise the total sum the offender has to pay to an amount beyond his ability, and thus to prevent the payment of the

* Appendix B, p. 144. † Ibid. See Dyer, 101. ‡ Ibid. Purvis, 162.

damages, expenses, and fine. The average of petty offenders committed to prison in default of payment is said to be about one-third.

The best remedy for this evil would, in our opinion, be found in the establishment of a proper system of police, and in the plan already suggested, by which the clerk of the petty sessions should act as public prosecutor for his division. It will be recollected that we propose that he should be paid by salary, and in that case, the fees on preferring a charge should, in our opinion, be abolished.

Other remedies for the more easily detecting the perpetrators of crime by removing the difficulty, trouble, and expense of laying an information, are proposed by the correspondent before-mentioned, who favoured us with the suggestion of a comprehensive and elaborate plan to reduce the expenditure of the County Rate, which will be found at length in the Appendix to this Report.*

As to the necessity of an improved police for the country, a more speedy trial, and a trial in the vicinity of the place where the offence is committed, his views will be found to coincide closely with our own.

His remarks upon the subject of fines appear also very deserving of attention: but upon this subject (of fines) we particularly invite attention to the communication and plan from the county of Sussex, and to the suggestions from various correspondents, published in the Appendix,† as to the large county revenue applicable to police and other purposes, which might be derived from an improved collection and appropriation of fines and penalties.

Thus, it is observed, "all penalties whatever, now dribbled away, might be applied to the expense of police."‡ Again,—"the various fines which under the old statute were payable to the County Rate, very seldom find their way into the county treasury; they are lost in the transit, or frittered away in expenses, or perhaps in many cases remitted or never collected. Nobody would feel the pressure if all those penalties were paid into one fund for the benefit of the County Rate.§ They amount to nothing as they now are, and they would produce a large sum."

A magistrate in Lancashire states,—

"The most flagrant part of our mismanagement (if I may use the term) is in neglecting to keep proper accounts of the levying and collecting of fines, or in not inquiring and knowing that all fines are properly and legally applied. Another matter I would suggest that the Commissioners should take into their consideration is how to remedy the farce of recognisances to keep the peace.

These are virtually forfeited every day, but no surety was ever called upon to forfeit or pay the amount of his recognisance that ever I heard of."‖

The cause of this failure of justice is furnished in one of the examinations:—

"The sheriff's officers have no allowance for apprehending any person upon an estreated recognisance; the consequence is that the parties remain unapprehended sometimes two or three years, or until the bailiff goes into the neighbourhood on other business, or until he accidentally meets with him."¶

In Felonies.

The expenses of searching for and apprehending persons charged with simple larceny, and of keeping them until they are committed for trial, are not provided for by law. There is no public fund out of which such expenses can be legally defrayed. They are not a charge upon the County Rate: it is not imperative upon the vestry to discharge them out of the constable's rate or poor's rate, except in case of business done for the parish, or of a special constable, under 41 Geo. III. c. 78. They consequently become chargeable upon the prosecutor or party requiring the warrant, or in some cases are paid by the prisoner himself.

Conviction Moneys paid by Government.

In felonies of a higher nature, where specific rewards were formerly given by the state, and in other atrocious crimes, as murder, feloniously shooting at, stabbing or poisoning any person, rape, burglary, housebreaking, robbery on the person, arson, horse-stealing, bullock-stealing, sheep-stealing, and the cases of accessories and receivers therein, the judges of assize are authorized by 7 Geo. IV. c. 64, s. 28, to allow to those who have been active and instrumental in apprehending offenders, a reasonable and sufficient sum to compensate such persons for their expenses, exertions, and loss of time in or towards such apprehension.

The chairmen of quarter sessions, though now trying similar cases, have no similar power of rewarding the extraordinary exertions of constables or others in apprehending felons.

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* Appendix B, p. 101. † Appendix B, Earl of Chichester and Magistrates of Sussex, p. 164.
‡ Ibid., Sir George Rose, p. 91. § Appendix A, Q. 533, 534. ‖ Appendix B, p. 169.
¶ Appendix A. Q. 165.

These expenses, so allowed at the assizes, are paid by the sheriffs of counties upon an order of the judge.

The charge for such payments is not included in the sheriff's bill of cravings, but is claimed under the head of "Conviction Moneys," and repaid to the sheriff at Your Majesty's Treasury. These payments amounted in 1834 to £2,250. 8*s*. 10*d*.

Of this charge upon the public revenue the clerk of assize for the Northern Circuit observes: "It is a growing item of expenditure. These expenses are now applied for in all cases mentioned in the Act empowering the judge to make an order for them upon the sheriff,—that is, in almost every case at the assizes. There is great abuse in this respect. There is the strongest reason for believing that constables prefer the most unfounded charges, and that upon oath.

The allowances and rewards under this Act are granted by different judges upon different principles. Some judges order a specific sum; others leave it to the officer to assign a reasonable remuneration.* "Different judges will make allowances upon a very different scale," is the observation of another officer, "and I have often known constables complain that others, with the same or inferior merit and services, have received a larger reward."† It also appears, that the practice on this subject, so far as the allowance of expenses is concerned, varies in different circuits.‡ In one circuit it is uniform; another adopts the scale of allowance for witnesses at the assizes in each particular county.§ In a third, the rate of allowances for attending before the examining magistrate is adopted. In another, there is a calculation for the number of days by the county scale, to which the sum is added, which is sworn to have been actually expended.‖

To these varieties in the rate of allowance is to be added a difference in the nature of the voucher or evidence required. Some clerks of assize, in ascertaining the amount, always require an affidavit of the moneys expended, though thinking that a very ineffectual check.¶ Others reject an affidavit, considering it as voluntary, and therefore invalid.** In some cases,†† dependence is placed upon the examination of the constable in court, which, of course, affords very ineffectual materials of judging of the expense incurred. In other instances the allowance is made upon conference with the committing magistrates.

This subject evidently requires better regulation. We would not, however, withdraw from the judge who tries the case the power of giving a reward to the constable, in the few cases that occur of peculiar merit or extraordinary daring; but this consideration should be quite distinct from payment for his trouble and allowance of his expenses. The latter species of remuneration should be given in every case, whether the prosecution be at assizes or sessions, and whether the offence be simple or compound felony, and should not require the special sanction of the judge.

We agree, too, with an intelligent officer,‡‡ examined on this subject, in the opinion that a uniform scale of allowance, under this head, should be established by law throughout the kingdom. Supposing the clerk of the peace to be employed as the taxing officer, both at assizes and sessions (according to the plan we have elsewhere suggested,) the duty of settling, in each case, the amount of the allowance, would of course be performed by him, though he would act, so far as this branch of his duty was concerned, not as a servant of the county, but for the protection of the public revenue.

Voluntary Associations.

In addition to the County Rate and Government expenditure in prosecutions, we must notice that sustained by communities or bodies of inhabitants. We allude more particularly to the establishment of those voluntary associations, which are to be found in almost every part of England and Wales.

The average expenditure for prosecutions by these associations, as returned to this Commission, amounts to £2,040 per annum. This constitutes about one-half of the total expense incurred, the remainder being defrayed from the County Rate allowances. We have reason to believe that quite as much more is expended by these associations on other accounts connected with crime.

These associations, have, no doubt, originated in the inadequacy of the parish constables to the purpose of protecting property, as well as the insufficiency of the county allowances to meet the expenses of prosecution. Accordingly, some of these institutions proceed on the plan of offering rewards and paying the full expenses of the pursuit and apprehension of offenders. In other cases, they are

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* Appendix A, Q. 1206, 944.
§ Ibid., Q. 906.
** Ibid., Q. 907.
† Ibid., Q. 1209.
‖ Ibid., Q. 942.
†† Ibid., Q. 943, 1208.
‡ Ibid., Q. 1002.
¶ Ibid., 1132. 1233.
‡‡ Ibid., Q. 1209. J. Clark.

confined to the purposes of prosecution. Some, as at Barnet, have in view the establishment of a voluntary police, together with the conduct of prosecutions. The Uxbridge establishment, with similar objects, has more of a military character.

Social confederations of this description indicate a defect in the laws, and it is by the supineness of the legislature that men are driven, in all such cases, to combine in their own defence.

When new vigour is given to the law, the voluntary associations are found in the same proportion, to languish and decay. "Formerly," says a correspondent,* "there were two or three associations in this hundred for prosecuting felons, but after the sessions and assizes were empowered to pay the expenses of prosecutors and witnesses, they gradually declined and have now altogether ceased." Several other communications are to the same effect. In some districts, "they have almost become obsolete."†

Another cause of the decline of these establishments is a practice becoming prevalent, in several counties, of appointing a county solicitor, who acts as public prosecutor, and undertakes the conduct of all prosecutions, upon terms of claiming no payment beyond the county allowances.‡

The same duty is sometimes discharged upon the same condition by the magistrates' clerks, and occasionally by the clerks of the peace.§

The greater part, however, of the associations in almost every district of the kingdom, still continue to flourish,‖ and it may safely be inferred from this, that the expenses allowed for prosecutions are still inadequate. Nor will this evil in our opinion be effectually remedied except by the establishment of a well-regulated police throughout the kingdom, and by making proper provisions for the expenses incurred prior to commitment.

The extra expenses defrayed by associations are said to consist chiefly of expenses prior to commitment, a larger sum paid to the attorney for preparing the brief, and a higher fee paid to the counsel, than are sanctioned respectively by the county allowance.

Another portion of expenditure in prosecutions not falling upon the County Rate, is the charge upon borough funds for the prosecutions of borough prisoners. Prosecutions paid out of Borough Funds.

It will appear, from the tables in the Appendix, that the amount of that charge, in such cases as were tried at the assizes in the year 1833, and returned to this Commission, was £2,926. 18*s*. 11*d*.

The expenses of borough prosecutions may be moderately computed at about £20,000, to be added to the sum of £131,416 charged in 1834 for county prosecutions.

It may be useful in concluding our notice of these subjects to bring together and review, under one head, all the payments, from various sources, in respect of crime. Summary.

By parties, or by voluntary Associations, are now paid

The expenses of the warrant;
The charges and expenses of pursuit and apprehension in all other than certain specified cases of felony;
All extra costs.

By some department of the State are paid

Rewards and conviction moneys, including expenses of search and apprehension allowed by the judges;
Government allowances for support of convicts;
Allowance for the maintenance of soldiers confined by orders of courts martial;
Allowance for subsistence of smugglers and revenue prisoners;
Government allowance for bailiffs at special sessions;
And now Government have undertaken to provide for;
Transports, conveying for embarkation;—with half the expenses of prosecutions.

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* Appendix B, Badham, p. 143. † Ibid., Rev. W. R. Hay, Rochdale, p. 112.
‡ Ibid., J. Jones, Chairman of Sessions, Carmarthenshire, p. 143.
§ Ibid., Sir T. Haggerston and the Magistrates of Northumberland, p. 143.
‖ Ibid., Carr and Robinson, p. 129.

Prisoners (out of any Moneys found upon them) pay

For the conveyance to gaol;
Towards their maintenance there.

The County Rate or Borough Rate pays, (or sometimes it is taken from the Poor Rate, or derived from Corporate Funds,)

The expenses of prosecutions at the assizes and sessions; or at present a moiety of these;
The conveyance of prisoners to gaol;
The subsistence of prisoners on the road;
The subsistence of constables on the road;
Gaols and houses of correction—building and repairs; salaries and gratuities of keeper and other officers;
Maintenance of prisoners therein;
Lock-up houses—building, repairs, and expenses;
Shire halls and courts of justice;
Conveyance of prisoners to other gaols to take their trials;
Acquittal or discharge fees, transportation orders, &c.;
Relief to discharged prisoners on route;
Fees and allowances of high and petty constables, clerk of the peace, coroner, &c.

The rate of increase of these different charges has been as follows:*

	1792.			1832.			Increase per cent.
	£.	s.	d.	£.	s.	d.	
Prosecutions	34,218	0	8	157,119	0	0	359
Conveyance of prisoners	4,865	0	0	25,201	0	0	525
Conveyance of transports for embarkation	653	0	0	14,298	0	0	2,383
Gaols, houses of correction, &c.	92,319	0	0	177,245	0	0	178
Maintenance of prisoners	40,267	0	0	87,798	0	0	218
Salaries of officers	16,315	0	0	51,401	0	0	215
Constables	659	0	0	26,688	0	0	4,338
Vagrants	16,807	0	0	28,723	0	0	70
Coroners	8,153	0	0	15,254	0	0	87

Having now concluded our remarks upon the different heads of charge which we have been led in the course of our inquiry to investigate, we think it right to state, that we have been much embarrassed and delayed in the performance of this duty, by our inability to hold out to those from whom returns were required any provision of compensation for their labour, and the consequent unwillingness shown in numerous instances to comply with the requisition. Remuneration for such services was at a former period usually made out of the County Rate; but of late, the legality of such payments has been questioned, and the charge is now in general disallowed. This has been the chief cause of the difficulty we have experienced in obtaining returns; and unless some fund be appropriated to the purpose in question, the same difficulty will no doubt oppose itself to every future Committee of Inquiry, and impede the operations of Parliament. We have therefore considered it as a duty thus humbly to invite attention to the subject.

The Fund itself: Objections to it considered.

It was impossible to enter thus largely into the various charges imposed upon a particular fund, without being led to some consideration of the nature of the fund itself, and the method under which it is raised; and the rather as complaints are constantly made of the present mode of levying and administering the County Rate.

The principle of the rate seems open to serious objections, upon the ground that the charge is imposed by persons not chosen by the rate payers. No other tax of such magnitude is laid upon the subject, except by his representatives. The possibility of improving the present system in this particular, will be a subject for subsequent remark.

Another objection is, that though a great portion of the fund is applied to the protection of personal property, it is levied exclusively upon the realty. It is clear, however, that personal property could not be subjected to effectual taxation

* Report of Select Committee of House of Lords on County Rate, p. 275.

to the County Rate, and no alteration of the system on this point could be practicable. But the consideration that there is an undue pressure (as there certainly appears to be,) upon the landed interest, leads to the inference that it ought to be relieved from some of the existing burthens. If Parliament were now for the first time to be making provision for the safe custody of criminals, and the repair of the main roads and the bridges upon them, it would not be thought reasonable to throw the expense of these national concerns upon a local fund raised exclusively upon the occupiers of lands and houses. It seems just, therefore, that these charges, or a part of them, should be taken off from the County Rate and transferred to the public revenue; a fund to which every species of property contributes its share.

There appears to be reasonable ground of objection also as respects,

1st, The valuation for the rate.

2d, The collection.

3d, The appropriation.

4th, The audit.

Valuation to County Rate.

Supposing a general valuation of any county for the purpose of the County Rate to be once correctly made, it is nevertheless subject to rapid derangement. The value or rateable ability of each parish fluctuates from time to time by the creation, extinction, improvement, or deterioration of properties, and particularly by the effect of inclosures. Considerable changes of this description are said to be usually perceptible in the course of seven years. Under such circumstances, supposing the general valuation to remain uncorrected, the pressure of the charge as between the different parishes in the county will become unequal. The general valuations should therefore be frequently renewed; but in most parts of the kingdom they are allowed to remain for long periods of time without alteration. From a statement annexed to the Report of the Select Committee of the House of Commons on County Rate,* it seems that there are only nine counties in which a valuation has been made within the last seven years; in eight, the date of the existing valuation is not known; in five, it appears to be about 100 years old. In Dorset it appears that in the year 1834, the valuation had not virtually altered since 1672, (26 Chas. II.) a period of more than 160 years, though 50 inclosures had taken place in that county, even since the 27th Geo. III., and property nearly to the amount of £300,000 per annum had been created in the county, of which not one fragment is assessed to the County Rate. In 18 counties the assessment to the property tax is adopted as the valuation for the County Rate.† In seven counties of Wales there is no valuation; but the assessment is according to an apportionment to each hundred, made from 40 to 90 years ago. In one of these counties it is stated, that many thousand acres of land have been inclosed since the period of valuation, but that no alteration has been made in consequence of such inclosures.‡

Valuations have been recently made in the West Riding of York and in the county of Lancaster at a moderate expense, but with a degree of correctness which appears to have given general satisfaction. Their effect has been to make the large towns contribute in a more just proportion, and greatly to relieve the agricultural interests. Though in other counties the results might probably be less striking, we have no doubt that a similar course would be attended with advantage in most other parts of the kingdom; and that in every instance the expense of the valuation would be more than compensated by the amount of benefit derived. We think the measure of periodical valuations should be made imperative, for it is obvious that those who have the advantage of being rated too low under the existing valuations, will always be opposed to their revision.§

Collection.

2. The present mode of collecting the County Rate is not satisfactory. The high constable receives and pays over moneys in a loose and irregular manner, giving, in general, no security to the county and no voucher to the overseers, and making long journeys in person to carry moneys to the treasurer.

The expense of collection, *per se*, no where appears, but it is no doubt very considerable, and it is to be observed that in some counties it forms a separate charge upon the parishes, and is in addition to the amount which they are called upon to pay for County Rate.

"In stating the amount of the County Rate," was the observation of a magistrate

* Report of Select Committee, House of Commons, Appendix, p. 26.
† Lords' Report on County Rates, p. 325. ‡ Id. p. 294, Flintshire.
§ Appendix B, Swabey, p. 202.

of great experience, Mr. Becher, "it may be well to bear in recollection, that there are several charges resulting from the mode of collection, such as the fees paid to the chief constables, and the allowances made to the petty constables as a compensation for their time and trouble, which, although not appearing on the account, yet do in fact make a very considerable addition to the expenses on the landed interest." He then mentions a parish (Thurgaston,) in which the payment for the Poor Rate in the then three last years was £52, and the County Rates and constables' bills were £54.*

Appropriation.

3. The management of the county funds is regarded with some distrust. The salaries given to county officers have been considered as extravagant, and the holders of the offices as sometimes ill-qualified, as well as overpaid. Improper prices are sometimes thought to be paid and immoderate fees and charges allowed. Whatever ground there may be for these imputations, it is at least natural that they should be made, while the fund is administered by persons over whose proceedings there is no effectual control.

Audit.

4. There seems to be no efficient Audit of the county accounts. No prospective estimates are presented of probable expenditure, nor is any abstract of the accounts supplied to render them intelligible. The only material check is that afforded by the recent Act, 3 and 4 Will. IV. c. 48, providing that the business shall be transacted in open court, and that appears to be insufficient. To make the control complete, more time and opportunity should be allowed for examination of the accounts.

It is impossible not to admit that the persons who contribute to the County Rate have little control over its expenditure. The administration of this fund is the exercise of an irresponsible power, entrusted to a fluctuating body. A magistrate of Somersetshire who is, with reason, "averse to any measure having a tendency to lessen the character and influence of the magistracy," nevertheless expresses himself upon this subject, in a document placed in our hands, with great distinctness.† "I cannot," he says, "avoid remarking the objections to giving that respectable, but very varying body, the court of quarter sessions, the authority to raise, expend, and audit the accounts of large and indefinite sums of money, without any effectual responsibility; and I doubt also the advantage of giving the quarter sessions the patronage of offices, together with the power to fix the emoluments thereof. It is a temptation to magistrates to make interest for these offices, and then to increase the salaries for the sake of the holders. When the quarter sessions of a county are held at different places, different sets of magistrates attend; and though this may be unobjectionable, for the purposes of the original institution of the court, it is ill-suited to any systematic attention to the duties of the pecuniary administration lately imposed upon them."

One of the topics adverted to in this communication is the objection to the authority under which the fund is raised. Some of those by whom that objection is advanced are of opinion that the rate-payers should be entitled to elect the magistrates by whom the rate is imposed,‡ but we think that course of proceeding clearly inexpedient. A popular election of magistrates, having any judicial duties to perform, is, in our judgment, greatly to be deprecated.

It is, on the other hand, proposed by a member of the legislature, that the whole financial concerns of a county should be taken from the magistrates and lodged in a responsible board.§ We confess, however, that we should much disapprove the exclusion of the magistates from all participation in the financial concerns of the county, and we decidedly give the preference to the view taken by another gentleman, who has much considered the subject, and who suggests the formation of a central county board of representatives from the boards of guardians, at which central board the magistrates, or a part of them, should have *ex officio* seats.‖

This plan of applying the machinery of the new Poor-Law Unions to the controlling the county expenditure appears to us not undeserving of attention. The guardians are already elected to represent parishes. They meet and transact business of local finance, at their own board, with the neighbouring magistrates. It is represented to us that they are found to proceed very harmoniously with the magistrates at those boards; and no reason is apparent why persons elected by boards of guardians should not satisfactorily conduct the affairs of the county in conjunction with a limited number of the magistrates.¶ "I am disposed

* Report on Expenditure of County Rate, 1825, p. 11; and see Appendix B, p. 158.
† No. 1. Documents delivered in by General Sir James Bathurst.
‡ Staffordshire Petition, &c. § Appendix A, Mr. Hume, Q. 863. ‖ Ibid. Sir C. E. Smith, Q. 461.
¶ See a detailed plan by a correspondent, Appendix B, p. 204.

to think," says the witness referred to, "that though the magistrates would be unwilling to concede the whole of the control to the rate-payers, they would not object to a concurrent control on the part of the rate-payers with themselves."

It is a question for the decision of the legislature, whether a county council cannot be in this manner conveniently formed, to regulate the imposition of the local charge, or whether the audit is the fitter season for letting in a moderate infusion of popular control. Auditors are always elected in boroughs to control the expenditure of rates, in the nature of a County Rate, and it seems fitting that a board of audit should be constituted for the supervision of the County Rate itself.

Upon the course and method of local taxation we do not feel ourselves called upon by the nature of our Commission to suggest specific improvements, but we may be permitted to state generally, that we think the subject deserves greater attention than it has hitherto received. A negligent and, in some instances, a corrupt administration of parochial funds has been clearly established; and we think sufficient appears upon the face of this Report, to prove the possibility of introducing an improved management of the financial concerns of a county at large, and a consequent reduction of the general burthen.

All which matters in this our Report contained, we humbly submit to Your Majesty's most gracious consideration.

HENRY J. STEPHEN, (L. S.)
THOMAS LAW HODGES, (L. S.)
CHARLES SHAW LEFEVRE, (L. S.)
FORTUNATUS DWARRIS, (L. S.)

Dated the 16*th day of June,* 1836.

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ON

COUNTY RATES IN ENGLAND AND WALES.

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APPENDIX. (A.)

No. 1.

THURSDAY, 28th MAY 1835.

William Lee, Esq., Treasurer of the West Riding of Yorkshire, was called in and examined as follows.

Q. 1. IN the Report of the Committee of the House of Commons on the subject of prosecutions, page 75, Mr. Broadrick is asked "what proportion of the whole of the expenditure from the county rates of the West Riding of York consists of expense on account of criminal prosecutions?" and he answers, "£27,000 out of £42,000 last year." Are you aware of such statement?—*A.* I believe that is pretty nearly correct; I make it £43,997, or £51,740. 13*s.* 3*d.*, including the new works at York Castle, which were £7,742. 14*s.* 8*d.*, which was the expense in 1833, and out of that £26,761 was paid for felony or relating to felony.

Q. 2. What does that amount comprise?—*A.* 113 prosecutions at the assizes cost £5,718. 3*s.* 9*d.*; 962 prosecutions at the sessions cost £6,466. 11*s.* 1*d.*; searching after and apprehending felons, £1,755. 15*s.* 6*d.*; this sum is paid for cases tried at the sessions. Corresponding expenses at the assizes are paid by an order from the judge to the high sheriff.

Q. 3. How do you get the particulars of this latter head of expense then?—*A.* They never come to me; those cases are tried at the assizes, and do not come to the treasurer; but I pay the expense of conveying to York Castle.

Q. 4. Is this the case? The expense of the search and apprehension of prisoners is paid under a judge's order; the examination before the committing magistrate, and all charges preceding the commitment, are included in the magistrate's certificate?—*A.* The searching after and apprehending felons in cases tried at the sessions I pay; but not the assize cases. There the expenses of search and apprehension fall upon the sheriff.

Q. 5. Confining yourself to the assize cases?—*A.* Those would go to the sheriff, allowed by the clerk of assize.

Q. 6. This article, searching and apprehension, in such cases is not paid by you; but you added, "I do pay constables for conveyance to gaol." Is that the proper understanding?—*A.* Yes.

Q. 7. Over and above what is paid by you, there are expenses paid by the sheriff and repaid to him, or allowed by Government in his accounts. Is this the explanation?—*A.* Yes, for prosecutions at the assizes, but not elsewhere. Then the next item will be conveying convicts to the hulks, and sundry expenses relating to felony, £2,574. 4*s.* 8*d.*; conveying prisoners to gaol, £2,341. 12*s.* 3*d.*; then there is our proportion towards York Castle, £2,129. 18*s.* 2*d.*; and the current expenses of the House of Correction, £6,306. 5*s.* 4*d.*; that is what I look upon as "*relating to felony.*"

Q. 8. Do you include under that head your contribution to the gaol and maintenance of prisoners in the House of Correction?—*A.* Yes.

Q. 9. While Mr. Broadrick stated that the expenses were £27,000 out of £42,000, on turning to the Appendix in page 33, it appears that the expenses paid out of the county rate, in consequence of sessions trials for the year 1833, amounted to £6,216. 2*s.* 6*d.*?—*A.* It amounted to £6,466. 11*s.* 1*d.*; but that cannot be the return of 1833, for I have not made a return for that year before the one now laid upon the table.

Q. 10. The return of expenses out of the county for the assizes for 1833 appears to be given for the whole county of York in your statement?—*A.* Our proportion for 1833 was £5,187. 3*s.* 9*d.*; but then I should not be surprised if that is correct for the whole county, for the West Riding prisoners have generally averaged 9 out of 10. There was a larger proportion for the North and East Ridings the last assizes than I recollect previously.

Q. 11. Supposing Mr. Broadrick to have spoken of the expenses of the prosecutions exclusively, the two items of assizes and sessions together would have amounted only to £12,270; what do you make it?—*A.* It would be about £11,655. 14*s.* 10*d.* for the West Riding.

Q. 12. Is £54,468. 12*s.* the whole amount?—*A.* No, £57,492. 1*s.* 11*d.*; the sums raised are £21,700 and £26,170, including £7,742. 14*s.* 3*d.* for the works at York gaol; the convictions for short weights and penalties, and different things paid towards the expenses of the county rates, make up the whole.

Q. 13. The result is, that the statements in the returns in the Appendix, and the reported expenses of assizes and sessions, are both incorrect?—*A.* They are.

Q. 14. You nearly agree with the statement of Mr. Broadrick in his examination?—*A.* We come pretty near upon that point.

Q. 15. Both including, besides the expenses of prosecutions at the assizes and the sessions, all other expenses, except those allowed for search and apprehension in cases tried at the assizes, which are paid by the sheriff?—*A.* Yes, and with which I have nothing to do.

Q. 16. Including orders for conveyance to gaol paid to constables, and expenses of trans-

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ports, and contribution to York Castle (which is the county gaol), and the expenses in the House of Correction?—*A.* Yes; then deducting that from the £43,997 leaves £17,276 remaining expenses on the county rates for every thing else, excepting the new works at York Castle, £7,742. 14*s.* 8*d.*

Q. 17. The first of your quarter sessions are held in January at Doncaster, in April at Pomfret, and how continued?—*A.* At Skipton in June, and adjourned to Bradford the next day, and there is a further adjournment from thence to Rotherham; on the Wednesday following, at Knaresborough; in October adjourned to Leeds, and from Leeds to Sheffield; the Christmas sessions are at Wetherby, Wakefield, and Doncaster.

Q. 18. In those held at Doncaster and at Pomfret the prisoners have been committed to Wakefield; then carried to Doncaster or Pomfret to take their trial; and then, according to the nature of their offence, sent back to Wakefield or to York. Is it not so?—*A.* Yes.

Q. 19. How are those expenses for the conveyance of prisoners to and from gaol before trial paid, and where charged?—*A.* They are paid out of the expenses of the House of Correction; those conveyed by Mr. Shepherd are paid out of the expenses of the gaol.

Q. 20. Under what head do they appear in your account?—*A.* They do not appear under any but under the head of the House of Correction. The expenses of the conveyance of prisoners for trial, or to undergo their punishment, are paid by the gaoler; they amount to a very small sum; conveying the Sheffield prisoners to gaol cost £514 in 1833.

Q. 21. For conveying convicts, and sundry expenses relating to felony, is paid the sum of £2,574. 2*s.* 3*d.*?—*A.* Yes.

Q. 22. For conveying prisoners to gaol, and House of Correction, is not included under the same account?—*A.* No, that is paid out of the sum of £1,755. 15*s.* 6*d.*

A remark is constantly made that the county expenses are increasing, and well they may, if Government puts fresh charges upon the county rate. In this account there are special constables, £482. 12*s.*; discharges of prisoners on route, £205. 11*s.* 11*d.*; clerk of the peace for calculating county rates, £350; registering voters, £497. 19*s.* 10*d*; insolvent debtors, £376. 6*s.*; and damages at elections, £311. 12*s.* 11*d.*; making together the sum of £2,224. 2*s.* 8*d.*, which are charges completely in addition.

As to expenses of prosecutions, a very large sum of money might be saved at York in the assize prosecutions by making a change; if the two judges would take the prosecutions the first four days, the Nisi Prius judge sitting the four first days on prosecutions.

Q. 23. Would not the difficulty be as to the attendance of counsel?—*A.* Yes, I am aware of that. Our assizes last a fortnight, and the grand jury get discharged as soon as they possibly can; therefore the witnesses on the first number of trials come on the Monday, and the next are obliged to come on the Tuesday; and I have known them remaining there till the Saturday week following. An attempt has been made to get two grand juries to come and sit, the one the first week, and the other the second; but they will not hear of it.

Q. 24. To what do you attribute the fact that the expenses of prosecutions at the assizes in your county average about £50?—*A.* To the length of the assizes. There are very few assizes which last anything like the length which ours do: they have been there sometimes thirteen days; many of them twelve. I have known the gaol not cleared till the Friday night or the Saturday of the second week. Then there is the expense to the solicitors, and to every individual, and the witnesses. Every day tells up.

Q. 25. Does the average expense, as stated in the question, agree with your calculation?—*A.* I took the average a short time ago, and it was £53 at the last Lent assizes. I have paid as high as £500 for a prosecution.

Q. 26. Do you think there is nothing to complain of in the charges making up that £50 for each prosecution?—*A.* I think not, except one thing, and that is that the briefs are spun out perhaps a little longer than is necessary.

Q. 27. You think that there is too much allowance to the attorneys for drawing the briefs?—*A.* Yes; I think that they are spun out a little too much sometimes.

Q. 28. The magistrate's certificate in most cases forms the principal part of the expenses, and the clerk of assize's order. Is there any check to these?—*A.* The magistrate's orders were sent to the judge for his allowance, and he had so much trouble in examining them he could not do it; so there was a regular scale of allowance drawn out, which is allowed by the clerk of assize, to take the trouble from the judges.

Q. 29. The average at the sessions appears to be only £8?—*A.* Thereabouts. The 69 prosecutions at the first intermediate sessions cost £5. 8*s.* 8*d.*; then 80 prosecutions at the quarter sessions which followed immediately afterwards, finishing in four days, £8. 2*s.* 2*d.*; and the January sessions averaged £7. 7*s.* for 105 prosecutions; and the 33 prosecutions at Sheffield averaged £4. 4*s.*; for this reason, that, with respect to the first, the £5. 8*s.* 8*d.*, I would state that at Sheffield, out of the 33 prosecutions, 31 or 32 were for the town of Sheffield, and the witnesses had but 4*s.* a-day; but the Bradford prosecutions came from the neighbourhood, and therefore they averaged £5. 8*s.* 8*d.*, nearly £1. 4*s.* more than the others. If these 69 prosecutions had been brought to Pomfret I calculate that they would have averaged £11 apiece, for they would have taken six days instead of four, and there would have been the expense of bringing witnesses, and the extra time. Whether there are 20 prosecutions at the assizes at York, or 30, makes a very great difference to the average. At the Pomfret sessions, in 1833, 180 prosecutions averaged £9. 15*s.* 2½*d.*, and they cost £1,652. 6*s.* 7*d.*

Q. 30. Does not it follow that, as you now hold these intermediate sessions at Sheffield, if you could hold eight such sessions in the year at Sheffield, you would in all those cases save the expenses of prosecutors and witnesses?—*A.* It is proposed to have two intermediate sessions; one between Michaelmas and Christmas, and the other between Christmas and Easter, because our gaol is always much heavier at that time than it is in summer time.

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Q. 31. The advantages of having an intermediate sessions held at the town itself, are they not obviously very great?—*A.* Certainly, very great, and it is attended with very little expense; for it is only taking the prisoners, and the clerk of the peace going over. I have made out an estimate of the expense of conveying the Sheffield prisoners from Sheffield to Wakefield, that was £514, including all the expenses incurred by the Sheffield constables in conveyance to gaol. The other expenses are paid out of the House of Correction account for conveying to the sessions. If they were to build a prison there for the safe custody of those men, and they were to have an establishment, that would cost three times the amount.

Q. 32. There must be the expense of their carriage three times, must there not; as they must be carried to Sheffield to be tried, and brought back again?—*A.* The expense is very trifling; they are brought 25 together in a caravan; and we have been at a most enormous expense at our gaol at Wakefield; it is as complete a gaol as can be, and it is quite sufficient for all purposes. And then there is the silent system, which is working wonders. The greater the numbers got together with the silent system the better it works—the greater is the punishment.

Q. 33. Is it your opinion that it would be very expedient to have intermediate sessions held at the large towns, such as Sheffield, but that the expense of carrying the prisoners to the prosecutors is less than the expense of building gaols to keep them in the same towns?—*A.* No comparison; the building alone would be attended with a most enormous expense, and then there would be a very large establishment to keep up.

Q. 34. What is your opinion as to having a stipendiary magistrate or barrister chairman?—*A.* We never want such a thing; the magistrates are always ready, and always at their posts.

Q. 35. Supposing the labour were doubled or trebled by the intermediate sessions every six weeks, would it not be necessary?—*A.* I think we are working very well at present as we are going on.

Q. 36. Have you anything to observe respecting the mode of levying the rate, or the accuracy of your valuation?—*A.* What I am about to state shows the great relief the land experiences by our new valuation I do not mean to say that the statement I am going to make is quite correct, as far as the land paid towards the expense of this £26,721, but I will take it rather in the extreme; I will say the land paid two-thirds, and the other description of property one-third; the land would pay towards this £16,814, that being the case on our new valuation; the new valuation upon the towns would make a difference of £10,464, therefore that would only leave upon the land £6,350; it would be relieved in that ratio. I take it in the extreme: I do not think that that was the the actual amount. I have made a calculation upon the point, whether Leeds borough was a weight upon the Riding or not. I have got the whole expenses, and it appears that it contributes to the Riding nearly £2,000 a-year.

Q. 37. Has a new valuation recently taken place in the West Riding of the county of York?—*A.* Yes; last year.

Q. 38. Has the landed interest been considerably relieved by that new valuation?—*A.* Very considerably.

Q. 39. To what extent?—*A.* I should say that almost the whole of the increase which has been made has been made upon other descriptions of property.

Q. 40. Do you think it has relieved the agricultural interest to the extent of one-third?—*A.* I think it has.

Q. 41. Has it brought the large towns in the manufacturing districts to pay anything like an equivalent for the charges they bring upon the county?—*Q.* Perhaps more: for instance, Leeds; the prosecutions at Leeds last year cost £1,517. 12*s.* 4*d.*; the conveying of prisoners £330. I should think that upon the average Leeds has cost near £400 for the prosecutions at the assizes, and sundries for different things about £250, making £2,497. The expenses of the Leeds prisoners in the gaol of Wakefield I cannot speak to.

Q. 42. Does Leeds pay for them by a composition?—*A.* No; it pays to the county rate. I take the expenses of the county rate incurred by the borough of Leeds, upon the expenditure of the year 1833, to be £2,497, exclusive of the maintenance in gaol. Upon the old rate, to the raising of that sum of money they would have paid £3,323; and therefore deduct £2,497, as far as I can judge of the expenditure, leaving a balance of £826 in favour of the Riding. Now, taking the new valuation at the new rate, it would have to pay the sum of £4,672; and then the expenditure is the same, £2,497; that would leave a balance of £2,175 in favour of the Riding: I should then exclude the expenses of the prisoners in the house of correction.

Q. 43. With what expense was this valuation attended?—*A.* About £800 or £900, not more.

Q. 44. The sum raised was 3*d.* in the pound, was it not?—*A.* Upon this expenditure it would be 4*d.*, the sum raised only on the new rate £30,000; but I raised less than I ought to have done: upon £43,000 it would be 4½*d.*

Q. 45. That is upon the valuation of two-thirds of the real value, it should seem?—*A.* I think not more.

Q. 46. From the experience you have had in the West Riding of the expense at which a new valuation can be made, and the benefits resulting from it, should you think it advantageous there should be a new valuation take place throughout England?—*A.* I am of opinion that would be the best thing, and the most just thing, that can possibly be done, as far as my knowledge goes. There may be a few instances where it would not have an effect, but generally speaking it would bring into value property that pays nothing at present; and that is the first relief that ought to be looked for, and the most equitable one.

Q. 47. Of course it should proceed uniformly throughout, whether upon the whole value or a certain proportion?—*A.* Yes, clearly; that they were extremely careful about in Yorkshire: our

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valuation was made remarkably well; it has given general satisfaction; and there has not been a single appeal.

Q. 48. In page 24 of the Report, question 360, it is asked whether there is any other rate for the West Riding, besides the West Riding rate and the rate for York Castle, with a view to learn whether there are any separate wapentake rates. Though the rate be a rate for the West Riding in the case of bridges, is it levied only upon the wapentake in which the bridge is situated?—*A.* Upon that wapentake alone, each wapentake paying for its own bridge, and its proportion of the general rate besides.

Q. 49. Are we to understand that though the rate is a rate for the whole Riding, yet for wapentake bridges it is levied only in the wapentake in which the bridge is situated?—*A.* Yes.

Q. 50. Take the wapentakes of Staincliffe and Encross—do they pay for the repairs of bridges in Staincliffe and Encross?—*A.* They do; and they pay also their proportion, according to the value, for the whole Riding bridges, I think nearly 400 bridges.

Q. 51. Do you consider it a grievance that while the whole Riding uses these bridges they are paid for only by the wapentake in which they happen to be situated?—*A.* That is precisely the feeling I have upon the subject; and I think it is one of the hardest things I know; it is a grievance which has been brought forward repeatedly at Pontefract sessions, and with great justice.

Q. 52. Do you consider all direct roads, and bridges in those roads, as intended and adapted for the benefit of the public at large, and that they should be taken by the public at large?—*A.* I do not think they would be kept in half the repair, though the charge would be at the same if they were taken by the public. I think our bridges are kept in better repair, and at a cheaper rate, than any other bridges I know anywhere; and if they were in the hands of the public I do not believe they would be kept in so good repair, or at so small an expense.

Q. 53. Do they not form a considerable item of expenditure?—*A.* No, considering the number; I think we have 400 in our Riding, and I do not think there are bridges better attended to anywhere.

Q. 54. You do not consider that the shifting that charge would be one of the desirable modes of relief of the agricultural interest?—*A.* Certainly not.

Q. 55. In a return made by you formerly you say the expense in regard to the discharged prisoners on their route will be likely to be very large unless something be done to check the amount. Do you remain of that opinion?—*A.* Yes; they were at that time worse. I have known instances of men, whom they call cads, that were coming down to our country horse fairs, that have got people to take them up and send them to gaol. They have been there for a day, the gaol has been very full, then they have got a route pass, and have gone to Northallerton, for instance, at the expense of the county.

Q. 56. Has a remedy been applied to that evil?—*A.* I do not think there is the same abuse going on as was before. That was the case, and the expense increased most materially; the first year it was £12. 12*s.* 8*d.*, the next £219. 10*s.* 6*d.*, in 1833 it was £205. 13*s.* 11*d.*, while in 1834 it was £190. 18*s.* 8*d.*, so that it appears to have diminished now.

Q. 57. Is that owing to any check that was devised?—*A.* Yes; they have been applied to in London to give it every possible check they can.

Q. 58. Do you know what has been done?—*A.* No, I do not; I have no check upon it, nor have I a magistrate's order. They have a route here given them, and as they go along, according to that route, they go to the overseer, and get a penny a mile; then, as soon as they get into Yorkshire, the overseers take a certificate from the discharged prisoner, which they bring to me, and I pay them. I have no check at all upon them.

Q. 59. Are those orders ever forged?—*A.* I should think that they may be.

Q. 60. All you are able to say is that the evil is diminished, but you are not able to say by what means it has been effected?—*A.* Just so.

Q. 61. The expense for the Scotch and Irish poor is very great. How comes it to continue so much?—*A.* Yes, we convey them now from the Riding: they do not come upon the route; they are merely those of persons who fall in the trading country and ask for relief. Immediately the magistrates send them to the depôt at Huddersfield, and they are sent back into Ireland.

Q. 62. In 1832 the charge for that matter in your county was £600; was it not?—*A.* That was the sum when they were regularly passed. That expense finished that year. Those were paid to the contractor. They were passed from London at that time; now they are sent by the steamer. It is the Scotch and Irish that apply for relief now in the county where they are.

Q. 63. The burthen you now have is only of those among yourselves who fall ill, and whom you are required to send away; therefore the sum seemed large: but do you say in explanation it was incurred under the old system?—*A.* Yes; we are relieved from those which passed through the county.

Q. 64. As to the prisoners on route before referred to, do you say they are persons discharged without trial?—*A.* Yes; they were discharged from gaol, and they gave them a route pass; so that those fellows went into gaol for the purpose of getting the order.

Q. 65. Do you not think that it ought to have been confined to prisoners who had been discharged after trial?—*A.* Undoubtedly.

Q. 66. The charge for conveying insolvent debtors before the Commissioners appears to be very frequent and very heavy: is it unavoidable?—*A.* Yes, it is; every quarter they are conveyed from York to Wakefield. The last half-year the Commissioners have gone to Sheffield, and some of them are conveyed to Sheffield.

Q. 67. The Commissioners do go now to two places in the county?—*A.* Yes; there are different gaols of confinement; the great bulk are at York.

Q. 68. By compelling you to bring them to the Commissioners at two places is more expense thrown upon the county?—*A.* Yes.

Q. 69. The county rates would be relieved by compelling the Commissioners to go to more places, you seem to think?—*A.* Yes, and to come to York; but then they are not there for the West Riding prisoners; those are all taken across to Wakefield.

Q. 70. Why should not they have the power of discharging the West Riding prisoners at York when they are there?—*A.* I should think they might; it would cost more, no doubt, in respect of the expense of witnesses. Wakefield is in the centre of the dense population in which the witnesses reside; so that, by carrying the prisoners there, they are carrying one instead of eight or ten; there is no comparison in the expense, and that is the reason they have lately altered, and taken the prisoners to Sheffield, in consequence of so many of the parties and witnesses being there.

Q. 71. Can anything be done in respect of the police; could not it be made much more effective?—*A.* Much more so. I have put down items here in respect of apprehending felons. No person can be aware of the reluctance shown by the parish constables in this duty, particularly since the disposition shown by the lower orders to retaliate, by committing destruction upon their property. In the parish where I reside there have been three or four instances of horses stolen. The constables will not be at any expense in running after those people. Who is to pay them?

Q. 72. Will not the constable be pretty sure to get the costs of apprehension?—*A.* The great difficulty is in getting anything. The question is whether he can be legally paid for the apprehension.

Q. 73. Does not the Act allow the judge or chairman to order the expenses?—*A.* There are doubts about that. If a man rides about the county three or four days, and returns unsuccessful, it is a very serious thing on the constable.

Q. 74. Do you think there should be a certainty of remuneration for his trouble, or a paid officer, whose duty it should be to carry on the search?—*A.* Yes; I think that there should be a very clever active man appointed to attend the magistrates in their different divisions.

Q. 75. Appointed by whom?—*A.* Either by Government or by the magistrates; and who should attend the magistrates on all occasions at all their meetings, and be the person who ought to perform the duty of the constables, and convey to goal, and be ready at all times, in case a felony was committed, to be under the order of the magistrates, to be sent to detect the person who committed the crime as soon as possible.

Q. 76. What are the inducements you would hold out to be more vigilant and active than you find the parish constables?—*A.* They should be regularly paid by salary, and they should communicate with each other constantly, and by their vigilance in their respective districts give every obstruction to the commission of crime. If there were men of that description, there would be very few felonies committed; they would be deterred by there being such a set of men. There should be a chain of police through the country, as it is at the present moment in the capital. There is not a single constable who dares move; nor has he any encouragement to move; and if he does move he is quite incompetent. If that was done, in my humble opinion we should not have half the prosecutions we have; and the best way to save money is to prevent crime.

Q. 77. Do you think that one of the causes of the prevalence of crimes, occasioning the expense of prosecutions, is the want of a preventive police?—*A.* Yes; that I have endeavoured to recommend for a considerable time. The Legislature should interfere in it.

Q. 78. Do you consider that the system adopted has been to encourage prosecutions, and not to prevent crimes?—*A.* Yes; and the police of London has driven all the rogues into the country; we are inundated with them.

Q. 79. Do you say that the effect of the police not being uniform for the whole kingdom, but being more active in one part of the country than another, has been to drive the rogues down to you?—*A.* Yes; into the rural districts.

Q. 80. You said a force paid either by Government or by the magistrates. Which should pay them?—*A.* My humble opinion is that the expense already paid to the constables would pretty nearly pay them.

Q. 81. Do you not think that to have uniformity, and to have the chain you speak of kept up, they should be under one head?—*A.* Unquestionably; and if Government would take *that* upon themselves it would be the best thing they could do, and would save a very large sum. I have conferred with Mr. Mayne upon this, and he quite agreed with me, and approved of the outline of my plan for the uniform system of police I have stated.

Q. 82. You think that the money already paid to the parish constables would be sufficient for the purpose. Is that your deliberate opinion?—*A.* Perhaps I am going too far there.

Q. 83. How could that sum, sufficient or otherwise, be applied to this new system?—*A.* There would be nothing paid for conveyance. Instead of the Government taking upon themselves to pay half the expenses of prosecutions, if they would pay all the police, that would be the very best thing they could possibly do.

Q. 84. Does not the same reason appear to apply to having all the gaols under one uniform system of management?—*A.* Yes.

Q. 85. Is it not desirable that the same plan of silence should be adopted throughout all the gaols in the kingdom?—*A.* Yes, they are doing that now.

Q. 86. Do you think prosecutions are too much encouraged?—*A.* The allowances for prosecutions are very small; there are numbers and numbers of instances of men—for instance, a cobbler, I will say, being robbed of some leather—he will not prosecute; they say the county allowance will not cover the expense, and they will not trouble their head about it, that "the first loss will be the least;" that feeling is a great encouragement to crime.

Q. 87. Are there not in some cases prosecutions for the most trivial offences?—*A.* Yes; there was a case lately of a man who broke open a pie, and stole some potatoes; it was a

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felony, and it was brought before a magistrate; and what was he to do when the complaint was regularly laid before him? The question is, whether the law is to be enforced?

Q. 88. Is not the best remedy by having speedy trials, and getting rid of the prisoners as soon as possible?—*A.* That would be a great relief, no doubt; but nothing can be worse than our police; we have no police, in fact. I think, also, that the conveyance of convicts ought to be paid for by Government.

Q. 89. Upon the whole you are of opinion that the mode of giving relief to the counties that do still complain of the county rate would be, first, by a new valuation; is it not so?—*A.* Yes, that *we* have got; we did complain before that with great propriety; there was very great injustice.

Q. 90 Secondly, by a new system of police?—*A.* Yes, that I am thoroughly satisfied would be the most advantageous thing that could be possibly adopted.

Q. 91. Thirdly, if the Government would be disposed to take the management of the gaols?—*A.* Yes, I think that would be much better than thinking of the prosecutions.

Q. 92. Fourthly, by the transport of convicts being taken into the hands of Government?—*A.* Yes, that, I think, they ought to do.

Q. 93. Fifthly, by a revision of the law with respect to discharged prisoners on route?—*A.* Yes, because certainly there have been considerable abuses.

Q. 94. You do not think that it would be advisable to take upon them the conduct of the prosecutions either at the assizes or the sessions, I think?—*A.* I think it would not.

Q. 95. Though attended with heavy expenses you do not think there can be a remedy against the expenses of carrying insolvent debtors before the Commissioners?—*A.* I think not; I have made a remark on prosecutions that I think the Government are not aware of the occasions that would be given to extra charges if they paid for the prosecutions at the assizes; there would not be that watchfulness that there is now to prevent expenses either at the assizes or the sessions; it would release me from a great deal of trouble if that were done.

Q. 96. There is still a considerable evil—the great amount of the assize prosecutions, arising, in your opinion, from the great length of time which they are kept in the assize town?—*A.* Certainly, it arises from that.

Q. 97. Do not you think that expense would be saved by appointing another assize town?—*A.* It would be attended with an enormous expense if that were done; building, and so on.

Q. 98. Have you not a good court-house and gaol at Wakefield?—*A.* Yes.

Q. 99. Would not it be attended with a great diminution of expense if the West Riding prisoners could be tried there?—*A.* There have been many calculations made. I have nothing to do with causes on the civil side; only the average of the expense of York Castle has been about £4,000 a year; now the North and East Riding towards that £4,000 pay £1,600; therefore, if we remove the assizes, there would be a loss; then there would be the preparation of judges' lodgings, and other expenses persons think little of. I have a calculation here of 110 prosecutions upon the average of so many years, and six witnesses to each prosecution, making 660 witnesses; there would be thirty miles saved to each witness, and that, at fourpence a mile, would be a saving, in travelling alone, of £330, because all the witnesses and prosecutors can come to York in one day as well as they can to Wakefield; then the question is, whether they would not wait as long at Wakefield?

Q. 100. The question is not on the substitution of Wakefield for York, but the having both?—*A.* Then there would be great inconvenience respecting the sheriff and the grand juries: the £330 would be the whole saving in the travelling expenses. If the whole tried at York came to Wakefield, there would be but little difference in the sum; but if half were tried at York, and half at Wakefield, there would be the sheriff's expenses and numerous expenses which can hardly be calculated. There is £1,600 which the North and East Riding pay towards the Castle; then we should save £330 in travelling; if a number of days could be saved, that would be in addition; but then, to set against that, there are the sheriff and the grand jury; the sheriff is already at a charge which is extremely inconvenient.

Q. 101. If the £330 is the whole, how does it happen that the expenses of prosecution at York are £50, and at the quarter sessions £8?—*A.* On account of the time; but they are all West Riding prisoners; therefore they must wait wherever they are tried, and it would be a great hardship on the North and East Riding if they had to pay the expense of keeping up that establishment at York Castle, having so few prisoners to occupy it. I have paid a hundred and six or a hundred and seven thousand pounds on account of York Castle.

Q. 102. Do the principal causes as well as prosecutions arise in the West Riding?—*A.* Yes, they do; in fact, if there were a removal of the West Riding causes and prosecutions, it would be the destruction of York as a county town.

Q. 103. You do not think that to get rid of the heavy expense of prosecutions it would be desirable to have the assizes held in two towns?—*A.* No: I think nothing would be saved by that in our case, there are so many inconveniences attending it.

[*The witness withdrew.—Adjourned.*]

No. 2.

4th JUNE 1835.

George Broadrick, Esq., called in and examined.

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G. Broadrick, Esq.
4th June 1835.

Q. 104. You were examined on several occasions before the Committee of the House of Commons on County Rates, and it appears that you were asked "What proportion of the whole

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of the expenditure from the county rates of the West Riding of York consists of expense on account of criminal prosecutions"? To which your answer is, "£27,000 out of £42,000 last year." Are the Commissioners to understand from that answer that £27,000 is the expenditure on account of the prosecutions only, or does that amount comprise the expenditure in respect of gaols and every other matter relating to crime?—*A.* Not the gaols; the expenses of prosecutions at the assizes and the sessions, and the expenses of apprehension, which we allow at the sessions, though I believe it is not authorized by law.

Q. 105. Are the Commissioners to understand that the aggregate amount of the charges under orders made by the clerks of assize and clerks of the peace, and also the expenses of search and apprehension, amount to £27,000?—*A.* Yes.

Q. 106. The Commissioners have been informed that that amount comprises the following charges: the assize prosecutions, properly so called, and the sessions prosecutions; search and apprehension allowed at sessions; the expense of transporting convicts; the houses of correction and York Castle: is that so or not?—*A.* I dare say, as far as the maintenance in gaols goes, but not the buildings.

Q. 107. Inclusive of the transport of convicts and conveyance to gaol, and the proclamation fees?—*A.* Yes.

Q. 108. Then the £27,000 appears rather to represent the whole expenses *relating to crime*, with the exception of building and repairing gaols?—*A.* Yes.

Q. 109. Are you a magistrate?—*A.* Yes.

Q. 110. Do you know the amount of allowances for the charges before prosecution made at the assizes?—*A.* No; the costs of search and apprehension never come before us. The mode of proceeding is for the constable to make an affidavit of the expenses.

Q. 111. Are you aware that the average expense of prosecutions at the assizes in your county is above £50?—*A.* Yes; I think when we first reported it was £38, and it jumped up the next year to £48, and it is now above £50.

Q. 112. And that amount is exclusive of the expenses of search and apprehension?—*A.* Yes; those are paid upon a judge's order by the sheriff, and he is reimbursed by the Treasury.

Q. 113. Can you state what constitutes the bulk of the expenditure for prosecutions paid by the treasurer of the county?—*A.* In consequence of an application of the North Riding magistrates to the West Riding, to have a conference upon the subject, I made it my business, as chairman of the committee of finance, to go over and consult the clerk of assize upon the subject, and he told me that it is owing, in a great measure, to the extent of crimes of certain descriptions, such as murder, burning, and things that require a good deal of circumstantial evidence; that a number of witnesses are often called to speak to the same point who cannot be calculated upon, whether they are necessary or not, till the trial is on; and that more counsel are obliged to be employed on that account; that the briefs are very long; and, in proportion to their length, I could not say that the fees appear to be improper.

Q. 114. Did he speak of those circumstances as of a temporary character?—*A.* I am sorry to say that, for many assizes, crimes of that description have been very much upon the increase. There were seven or eight cases of murder last assizes, and the medical men are obliged to be well paid. At the sessions the crimes are of a simple character.

Q. 115. Taking out those cases of magnitude, are you aware what the average would be then?—*A.* No.

Q. 116. Is there any reason why there should be more cases of that description in the West Riding of York than in any other manufacturing district?—*A.* Certainly not more than in Lancashire. I know that the grand jury have complained repeatedly at York of the number of unnecessary witnesses brought to speak to the same point.

Q. 117. If the whole bill or order of the clerk of assize were dissected, what would be the largest charge? would it be allowance to witnesses, or fees to counsel, or the allowance to attorneys, or what item?—*A.* I do not exactly know; I looked over one bill of £500 or £600 about two months ago; it was a burglary; the parties were at large, they were taken at different times, and I think the principal part of the expense was for witnesses.

Q. 118. Is there an allowance to witnesses in the nature of a mileage?—*A.* There is a mileage allowed at York; I think it is 4*d.* a mile.

Q. 119. What would be the effect of dividing the county, and holding assizes in more parts than one?—*A.* It depends very much upon whether you divide it only as to the civil business, or as to both. If you divide it as to both, it will be very expensive, indeed; we shall want new gaols.

Q. 120. Have you not a gaol at Wakefield?—*A.* We have a house of correction, but it is not large enough even for that purpose.

Q. 121. Will you state what objections appear to you to exist to such an arrangement?—*A.* The objections are not merely upon the question of economy, for there is a standing objection, and that is, the holding the criminal business during a period of excitement in a dense part of the Riding. Some years ago the assizes were near being transferred from Nottingham to Newark upon that ground, and it was only by the exertion of the county at large, to rescue itself from such an indelible disgrace, that it was prevented. The sheriffs raised a great force, and the judges were protected, but with difficulty. Now that is a lasting objection in the minds of many people.

Q. 122. What, in your opinion, would be the effect of a plan of dividing the West Riding into smaller districts, each of which should try its own prisoners?—*A.* There is no doubt that, after you got over the first expense, there would be a considerable saving; whether that would be more than equal to the interest of the money that would be laid out I cannot say.

Q. 123. Has any plan occurred to you of reducing the expenditure in prosecutions?—*A.* With regard to the sessions I do not think we could economize more.

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Q. 124. It appears that the expense of the prosecutions at the sessions held at Sheffield is only about half the expense of those tried at Pomfret; does not that fact show the advantage of having the trials at the sessions in the large towns?—*A.* No doubt; if we had all the Leeds prisoners to try, instead of their being tried at home, there would be an amazing increase of expense.

Q. 125. If that plan could be adopted as a general principle with respect to the sessions, would it not be desirable?—*A.* In such a place as Sheffield it is so, because most of the cases are from the town of Sheffield. We attempted it with regard to the town of Bradford, and found that we should be losers, because there the population which are usually tried at the sessions rides over 14 or 15 miles of the county; and therefore it would have been as little expense to have brought the prisoners to try at the usual places as to hold an intermediate sessions at Bradford. Now that is not the case as to Sheffield; there is very little crime committed beyond the boundary of the town. I originally proposed those sessions at Bradford and at Sheffield, and the result has been that Sheffield sessions have been continued, and Bradford have been discontinued, on that principle.

Q. 126. Do you suppose that there are many agricultural districts that have never sent a single prisoner to the sessions, and yet have contributed to the expense of the prosecutions?—*A.* Yes; and that led me to pray for a new Riding rate. In the district where I live we average about a prisoner at each quarter sessions, and we extend in length nearly 20 miles.

Q. 127. Would not you be greatly relieved if Leeds and Sheffield, and all such great towns, tried their prisoners upon the spot?—*A.* No doubt we should.

Q. 128. Would it not be more equal and just?—*A.* So far as we are concerned, no doubt it would.

Q. 129. What objection would there be so far as the towns are concerned?—*A.* It depends upon the way in which it is arranged.

Q. 130. Supposing that the present plan of sessions being held at all the great towns were persevered in, but that there was a criminal judge to make the circuit in lieu of the magistrates?—*A.* No doubt there would be a great saving.

Q. 131. Do you see any objection to the scheme in any other point of view?—*A.* Not if it is intended to make the appointment of recorder, which is now a nominal thing, a substantial appointment on the part of the Crown. Still, I think, if they were conjoined with local magistrates, their hands would be very much tied, because the magistrates have the same powers under the charter: indeed it is not in every charter that the recorder is a magistrate; he is in some places only an assessor to the mayor. Certainly there are places where the corporations are as good as any of the counties,—for instance, Leeds; I believe it is owing to its poverty; no one will undertake the office of mayor, except upon the same principle that gentlemen undertake the duty of county magistrates, namely, for the sake of usefulness. But wherever there is anything to be got there is bribery; and uneducated people get in ultimately, and become magistrates.

Q. 132. Do you think that such a plan would necessarily be connected with corporate abuses?—*A.* Not if it was in the hands of the Crown, but otherwise I am afraid it would be. There would be a good deal of expense in the outset in every town; there must be new gaols and houses of correction, and there must be some addition to the court-houses. In many of the towns the court-houses are insufficient even for ourselves.

Q. 133. You have had a new valuation of the West Riding of Yorkshire?—*A.* We have.

Q. 134. It was completed somewhere towards the end of 1834?—*A.* Yes, it has only just begun to be acted upon.

Q. 135. Do you think that a fair and equal valuation?—*A.* I only judge by there having been no appeals.

Q. 136. Was it an assessment to the full value, or a certain proportion only of the full value?—*A.* It professes to be the full value, but that is not a material point; the question is, whether we have thrown the burthen proportionately.

Q. 137. The Commissioners have been told that it is $4\frac{1}{2}d.$ in the pound upon the present valuation; have you any notion what that would give upon the rack-rent throughout the Riding?—*A.* No, I have not.

Q. 138. Can you state what is the amount of the poor-rate in your neighbourhood?—*A.* In several parishes that I know it is not above 1*s.* 3*d.* or 1*s.* 6*d.* in the pound.

Q. 139. Is it not felt that this new valuation has given great relief to the landed interest?—*A.* Yes, very great; the rate-payers begin to feel there is some relief.

Q. 140. And they feel that relief in the diminution of the poor-rate?—*A.* Yes, they do.

Q. 141. Has it brought the manufacturing and commercial interest to pay its proportionate share?—*A.* Yes, in relation to trade.

Q. 142. Does there exist an opinion that they might still be relieved further from the pressure of the county rate?—*A.* Yes, if in so doing you do not lead us into large expense by any new plan which might arise.

Q. 143. Do you think it would be desirable to throw the expense of the prosecutions, both at assizes and sessions, entirely upon the Government?—*A.* I think the Government would be thrown into a very unforeseen expense; for if they were to pay the expense of the assize prosecutions, and not those at the sessions, the judges must be prepared to try nearly the whole of the criminals.

Q. 144. What sort of control do you think would be most effective, if the Government took that expense into their hands?—*A.* It would be entirely at the mercy of the officer, who is frequently perplexed by the applications of parties, and he would, probably, be more liberal than he ought to be.

Q. 145. Do you not think he could be made accountable as an officer of the Government?—*A.* It depends upon the Act of Parliament.

Q. 146. At present the supposed check is the clerk of assize; if the Government were to take the expenses, would it not be necessary to have an officer to check his accounts?—*A.* Yes, I think it would. At present we have not sufficient power and control.

Q. 147. And do you think the Government would have less?—*A.* Yes.

Q. 148. It has been suggested that the Government should take the police and the gaols; would that give more effectual relief than taking the prosecutions?—*A.* Yes, I think it would; and with respect to the police, I may observe, that we cannot go on in the country with our present police; the thieves are driven now out of the great towns, which have effective police, and it is impossible for us to go on with parish constables.

Q. 149. What are the costs of your high constables?—*A.* The high constables had, in the year ending 4th of April 1831, £493. 2*s.* 6*d.* for their bills for various business, and £1,075 for collecting the riding rate.

Q. 150. What business did that charge include?—*A.* That £1,075 includes nothing but receiving the riding rate with one hand and paying over with the other; and the other demand is for executing the magistrates' process, and that work is very imperfectly done; for frequently it turns out that the case fails because the high constable has sent the process by a butcher, or somebody else, rather than send a special messenger at his own expense, which he ought to do, and so the case breaks down for want of proof of service.

Q. 151. What kind of process requires the intervention of the high constable?—*A.* All process relating to the special sessions; and the collection of the county rate is directed to be by the high constable, and by no one else; and the regulation of the weights and measures, and several other things.

Q. 152. Do you think, then, that these officers are overpaid, and the work ill done?—*A.* Yes, with some few exceptions. They were formerly a connecting link between the magistracy and the constabulary force; but, by disuse and alteration of times, the thing hardly retains a semblance of police.

Q. 153. Are the parish constables efficient?—*A.* No; for when there is the least danger we are obliged immediately to call out the special constables.

Q. 154. Is there anything more you wish to state to the Commissioners?—*A.* I beg to make one observation to the Commissioners upon the subject of coroners. There is a part of the Report of the Committee upon this subject which has been taken a good deal from my evidence; but I never meant to recommend that the parishes should be subject to the coroner's charges, for if that is done you will not have inquests held where they ought to be; but with regard to all the rest I approve of the suggestions. There is a very great expense in holding unnecessary inquests, besides the affliction which it creates in private families.

Q. 155. What suggestions have you to make upon the general subject of the county rate, and its expenditure?—*A.* I do not know of anything beyond what is contained in the Report of the Committee. I have lately had put into my hands, by Mr. Musgrave, the accounts of the county of Waterford, and I find that all their officers, in Ireland, are put upon a very different scale from ours, but I am at a loss to find out a reason for the difference.

Q. 156. May not the duties be small in proportion?—*A.* I cannot say; he says that, taking the whole of the county expenses in the kingdom of Ireland, with the addition of hospitals, infirmaries, penitentiaries, and roads, and things of that kind, the whole expense does not exceed a million.

Q. 157. Are you aware of any abuses in the expenditure in the county rate that require correction, which you wish to point out?—*A.* They are a good deal anticipated by the Report of the Committee of the House of Commons, particularly with regard to the clerk of the peace.

Q. 158. If the two offices of clerk of the peace and clerk of assize were united, what do you think would be a fair salary?—*A.* I do not know; the business of both I consider to be that of an attorney, and that the barristers are lowering themselves by accepting it. It is the most mechanical business that ever was done; there is nothing that even requires an attorney's education.

Q. 159. Is not there the drawing of indictments?—*A.* All special indictments are drawn by counsel.

Q. 160. What proportion of your indictments are drawn by counsel?—*A.* Every one in which there is any specialty; if there is anything beyond the ordinary printed forms, a special indictment is drawn by counsel.

Q. 161. Do you think the two offices together would furnish a sufficient employment for a man's whole time?—*A.* Yes, I think they would. I should say that any competent attorney would be well paid to do the business of our riding for £500 a-year.

Q. 162. Have the magistrates of the West Riding ever regulated the fees of the clerk of the peace?—*A.* No; he claims them under Act of Parliament, and we are not aware that we have any power over them.

Q. 163. What degree of superintendence is exercised with respect to the bills of the clerk of the peace?—*A.* They are laid before me as chairman of the finance committee, and what I think objectionable I submit to that committee; but I cannot say that, looking in the way that a person who had to tax them would look, there is any excessive charge. The bills are certainly large, but this arises from the great increase of business; and, where the business is so much increased, a person might afford to do it at less in proportion, and yet have a good profit. I certainly think it might be put upon a more economical footing. The Commissioners must be aware that, if a salary is adopted instead of fees, there must be a strict definition of duty, or you will run the risk of having to pay both salary and bill.

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Q. 164. If you purchase the entire services of a man, how can he claim extras?—*A.* No; if you have his entire services. Where a person has a strict salary and no bill, that prevents extras.

Q. 165. Have you any further suggestions to offer?—*A.* With respect to the magistrates' clerks, I think that either they should not be attorneys, or that, if attorneys, they should be prevented from practising in any business arising out of their situation of clerk; and I should say the same with regard to coroners. Coroners are frequently attorneys, and I have witnessed cases where the judges have animadverted severely upon this point. Another thing I would recommend is, that all the finance business of the county should be transacted in open court. There are two points not provided for by the law. The one is the payment of apprehension orders. The law does not go beyond allowing expenses before the committing magistrate; now the main point is to get the parties into custody. Then there is another point where there is a very great failure of justice, and that is with regard to the sheriffs' officers. They have no allowance for apprehending any person upon an estreated recognisance; the consequence is that parties remain unapprehended sometimes two or three years, or until the bailiff goes into that neighbourhood on other business, or until he accidentally meets with him. Now, if it was generally known that parties might get off the payment of their estreated recognisances in that way, it would have a very bad effect, and I should propose that a small allowance should be made to the sheriff's officer for the apprehension of parties upon estreated recognisances.

Q. 166. Do you think it right that the prosecutor should be allowed his full expenses out of the county rate, or that any portion of his expenses should be unpaid?—*A.* The want of full allowance certainly has created a great many associations; you would destroy the associations by it. On the other hand, there is a doubt whether you would not increase crime by increasing the difficulties and expense of prosecuting it.

Q. 167. Are you against allowing the use of counsel either at assizes or sessions?—*A.* I think, at the sessions, they save in time fully the amount of their fees; though, I believe, at the Old Bailey no counsel are allowed.

Q. 168. Do you think the allowance should be to the full extent of the expenses of the prosecution fairly incurred?—*A.* Yes, fairly taxed.

No. 3.

23d July 1835.

Sir *Eardley Wilmot,* Bart., M.P., called in and examined.

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Sir Eardley Wilmot, Bart., M.P.
23d July 1835.

Q. 169. Are you chairman of the quarter sessions for the county of Warwick, and a magistrate of the county usually attending the assizes?—*A.* I am.

Q. 170. Has your attention been turned to the subject of criminal prosecutions?—*A.* It has, for many years.

Q. 171. Are you aware what proportion of the cases tried at the sessions and assizes for the county of Warwick are furnished by the town of Birmingham?—*A.* I cannot speak accurately as to figures, but I should say three-fourths at the least.

Q. 172. Do you know what proportion of the county rate is borne by the town of Birmingham?—*A.* I think it is rather more than one-fourth

Q. 173. Has that rate been lately made; is it a new rate?—*A.* No, this rate was made on the scale of the property tax.

Q. 174. Does it proceed upon the old valuation?—*A.* Upon the old valuation.

Q. 175. It proceeds upon the same valuation that was in force at the time the Parliamentary Report on the county rate was published?—*A.* Yes; there has been no alteration in the rate at all.

Q. 176. Do you apprehend that there are parishes or rural districts in the county of Warwick that never contribute a prisoner?—*A.* Many; I do not think my own, for instance, has contributed more than one or two in 20 years.

Q. 177. While such parishes of course bear their proportion of the expense?—*A.* Yes.

Q. 178. Now, of the expense of prosecutions at the assizes, what constitutes the principal part? Is it not the expense of the prosecutions, and the witnesses' and constables' time and maintenance?—*A.* Yes, and the attorney and counsel.

Q. 179. But is not the principal of the expenses the allowance to the prosecutors and witnesses for time and mileage?—*A.* Yes, decidedly.

Q. 180. Are there cases, applicable to the sessions as well as the assizes, in which the time spent by the prisoner when committed to prison before trial,—the time consumed in gaol,—is greater than the imprisonment to which he is afterwards sentenced?—*A.* I cannot speak so accurately of the assizes as I can of the sessions, because I only attend the assizes as a grand juryman; but at the sessions I can say this, that in half the cases that I try at the sessions, if the prisoner had been committed for that offence the day before his trial, I should not have given him a greater punishment than he had from the time of his commitment before trial.

Q. 181. Do you take that into account in apportioning the punishment?—*A.* Frequently, but not always. Generally with boys of 12 and 14. I can mention one case last sessions; we had a boy of nine years old tried for stealing a bit of flannel off a hedge, which was not intrinsically worth 2*d.*; it was the most trumpery prosecution I ever had before me. He had been committed two months before the trial; and, when found guilty, what to do with him we did not know. Having an asylum supported by voluntary contributions for juvenile prisoners, we ordered him an hour's imprisonment, merely to get the caravan ready to take him off, and we

sent him to the asylum, where he now is, and I have heard he is going on remarkably well and may reform.

Q. 182. Are not the expenses of maintenance in prison obviously increased by the commitment before trial?—*A.* The expense of maintenance and food is about 2*s.* 9*d.* a-week.

Q. 183. Then we have at the assizes, as you stated, a great head of expense for the attendance of prosecutors, and witnesses, and constables, during the time of the whole of the assizes?—*A.* Yes.

Q. 184. Almost all coming from Birmingham?—*A.* Yes.

Q. 185. And at the sessions a great expense is incurred for the maintenance of prisoners for trial; might not a great reduction in the expense take place both in the conveyance and maintenance of prisoners by more frequent trials?—*A.* Yes.

Q. 186. And by trials on the spot where the prosecutors and witnesses reside?—*A.* Yes; you are now, I suppose, speaking in a pecuniary point of view only. I will mention another head of expense which has most amazingly increased since Sir Robert Peel's Bill, which is that of the expense before the committing magistrate. We had once an account for £20 for a man stealing a pig.

Q. 187. Supposing there was a local criminal court at Birmingham, and Birmingham was made to prosecute its own crimes, and bear the expense of its own prosecutions; Birmingham bearing the expense of its own prosecutions, would not there be a sensible relief to the other part of the county of Warwick?—*A.* A most considerable relief, and also a relief in another point of view, which is, that you would not have so many commitments; there are many persons committed now to Warwick for trial, that I am perfectly certain if the prosecutors bore their own expenses they would not prosecute. I have very good authority for saying so.

Q. 188. They have not at present a gaol at Birmingham?—*A.* No, no gaol; if they had we should have adjourned the sessions to some day in the interval between the quarter sessions.

Q. 189. Are we right in thinking that in all large towns, if they were allowed a separate jurisdiction in which they could try the prisoners who committed offences within their jurisdiction, it would be a sensible relief to the county?—*A.* Considerable.

Q. 190. And do you think it would be a beneficial plan as applied to counties at large, and not merely the county of Warwick?—*A.* I am not speaking of Warwick alone; there are other counties in the same situation, and there are great manufacturing towns without a separate jurisdiction.

Q. 191. You hold that there is further a great moral evil attending these commitments before trial; the offences have been, many of them, trivial, and the offenders juvenile, mere boys; is it not so?—In our county the majority are juvenile.

Q. 192. From the contamination in gaol, from a promiscuous association with old offenders and skilful thieves, do they come out worse than they went in?—*A.* Infinitely.

Q. 193. Would not your object of preventing that evil also be in a great measure attained by this plan, because if there were more speedy trials at Birmingham it would not be necessary to keep them long in gaol?—*A.* I think not only in a great measure, but almost totally; for we have so many boys who thoughtlessly snatch some article out of a shopwindow, or from a shopdoor, which the shopkeeper hangs up without any sort of guard, and who, when they are brought to be tried, are not aware they have committed so serious an offence; but when they come out of gaol, and undergo all the stigma of a trial, and all the evil company they have kept, we generally find in three months those boys come back again; once, twice, three, four, and five times, we have them perhaps returned to us.

Q. 194. Does it appear to you to be practicable, and do you see no objection to this notion of having a local criminal court at Birmingham for trying speedily?—*A.* I think it is not only practicable, but I think also, in a pecuniary point of view, it would save money, and I think in a moral point of view it would prevent crime and profligacy; and it is a point on which the Birmingham people did present a petition to Parliament, but inasmuch as the gaol must be under the power of the sheriff, prisoners could not be committed to Birmingham, because the confinement there is now only *in transitu* to the gaol at Warwick, and therefore we could not adjourn our sessions to Birmingham, because it would be bringing the prisoners from Warwick to Birmingham, and then sending them back again after conviction. The inhabitants of Birmingham are waiting for the Municipal Corporation Bill, supposing that Birmingham would become a borough, and have a separate jurisdiction and its own county rates.

Q. 195. When you say it would be a great saving in a pecuniary point of view, do you mean with reference to the county of Warwick, or the town of Birmingham?—*A.* I mean with reference to the county at large, not to Birmingham, because they contribute less to the county rate than they receive back again.

Q. 196. But still would it not be a saving of prosecutors, and witnesses, and constables, going those 20 miles to Warwick, and remaining three or four days at the assizes there?—*A.* Yes.

Q. 197. And is it clear to you there would be a greater expense to Birmingham then than now?—*A.* No; a much less expense to Birmingham in one point of view, because now our prosecutions cost about £8 a-head each sessions. If they are committed to be tried by a gaol delivery, or whatever plan you call it, once a fortnight, it is matter of course *that* would be attended with an expense of perhaps £2.

Q. 198. Do you think, upon the whole, then, that Birmingham would be the gainer?—*A.* I think it would.

Q. 199. Not only the county at large, but Birmingham also?—*A.* Yes; because the expense would be saved of conveyance and maintenance.

Q. 200. Would not the inhabitants of Birmingham gain in point of convenience, at all events, and personal expense, by being exempted from serving on juries at quarter sessions for the county

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of Warwick, if they had a sessions of their own?—*A.* Certainly. I am perfectly certain we should not have anything like the number of prisoners committed that we have, because I know many instances where parties would not prosecute if they could help it. They catch a boy while he is moving some article with intent to steal it, which is a felony, and give him a box on the ear and let him go, whereas now one is often compelled to prosecute against his will and inclination.

Q. 201. Are you quite satisfied of the expediency of overlooking such minor offences; may it not lead to the commission of great offences afterwards?—*A.* I don't mean to say that would be proper with hardened thieves; but I think, if a boy of nine years old commits some very trifling offence, it is in the power of his parent or master to punish him, and I should say that that boy would be much more likely to be saved from crime.

Q. 202. But is there not an evil on the other side in confounding moral distinctions? you want to impress upon him a distinction between *meum* and *tuum;* will there not always be a broad distinction between mere mischief and crime?—*A.* I compare that mode of dealing with him to our present system; but I say, with the system you are describing, I would try that boy, and send him to the asylum.

Q. 203. You would guard against imprisonment with thieves before trial?—*A.* That is the great point.

Q. 204. What proportion do you think you have of boys under 14?—*A.* In 100 prisoners last sessions there were about eight; I should think 25 under 17, and about 50 under 21.

Q. 205. By juvenile cases you would understand cases under 21?—*A.* No; juvenile cases I should take under 17.

Q. 206. Do you think it would be desirable to hold sessions at Birmingham, in the event of such a plan being adopted, so often as once a fortnight?—*A.* Meaning, if they have a separate jurisdiction?

Q. 207. Yes; if they have local trials?—*A.* I should say once a month; and once a month would be the average fortnight of imprisonment before trial.

Q. 208. You think the present system would answer perfectly well for the trial of the remaining offences that would be committed in the county generally, without ambulatory courts?—*A.* I think so on this ground, that in our county we have no boys committed; for nearly all the boys are from the towns, and not from the country.

Q. 209. But suppose a sessions of this kind, in which the judge should be appointed by Government, a professional person; what description of crimes do you think should fall under the jurisdiction of that court?—*A.* Everything under capital.

Q. 210. You think that cases involving transportation for life should?—*A.* Yes.

Q. 211. You would say everything that is now tried at the quarter sessions?—*A.* Yes; we have the power of trying for life, and Lord Tenterden told me he wished me to do so. In consequence of the diminution of capital offences, the quarter sessions is a greater court than the assizes; we have the horsestealing, and sheepstealing, and other crimes, formerly capital; and it is become a more important court than the assizes.

Q. 212. And being, of course, so raised in importance,—though I know it happens to be so in Warwickshire that the chairmen have been professional men,—yet, is it generally so in other counties?—*A.* It has so happened with us, but I believe in all the counties of England you will find that not one-fifth are professional men.

Q. 213. Therefore, that being the case, taking it that the court of sessions is a court considerably raised in importance, trying much more serious cases, and the chairmen presiding not being, generally, professional persons; do not you think it would be desirable they should be?—*A.* I think it is.

Q. 214. But I am now supposing Birmingham to be isolated, and to have a court established; as to all other places in the county of Warwick in which quarter sessions are held, do you not think it would be desirable that they should have persons of professional education to try the prisoners, and that the same judge should be ambulatory, and try for the whole county?—*A.* Do you mean to illustrate your question with regard to Birmingham; or, do you ask it particularly or generally?

Q. 215. You had better consider it generally?—*A.* Generally applied, then, I should say decidedly.

Q. 216. We understand you think it would be desirable that Birmingham should have a local criminal court?—*A.* Yes, with a barrister to preside.

Q. 217. Now do you think that barrister who is to preside, should be appointed by the Crown or by the borough?—*A.* I should say by the Crown.

Q. 218. And paid?—*A.* And paid by the Crown. But, at all events, appointed by the Crown; and my reason is this, that all those appointments are a subject of so much application, and are canvassed for by so much party feeling, and altogether involve so many important considerations, that they ought to be appointed by somebody who has no bias whatever but that of the public good.

Q. 219. Under the present Municipal Bill, (if the Bill is not altered,) the recorder will be appointed by the Crown?—*A.* Yes.

Q. 220. Do you think he should be locally resident, and mixed up with the parties and the feelings you have been alluding to just now?—*A.* I do not think a barrister, appointed by the Crown, would be mixed up with party feelings; because, if a barrister is appointed, of professional character, I do not think it is likely he would mix himself up with them.

Q. 221. Do you think he can well avoid it, after a certain time of residence?—*A.* That would apply to all recorders.

Q. 222. In smaller towns than Birmingham, might not there be a danger of his being mixed up with party feelings and local prejudices?—*A.* There might be, but not necessarily.

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Q. 223. Supposing any county to have two or three large towns which have their own local criminal courts, and to hold county sessions, at which, as is commonly now the case, a country gentleman presides, and not a barrister; in such a case, what do you think of the scheme of a recorder being appointed, not singly for one of these towns, but to hold an ambulatory court at each of such corporate towns, and at the county town, to try the prisoners from the county sessions too?—*A.* I should say that would be a very excellent plan; that would get rid of the possibility of the evil which you are apprehensive of: but still I do not think it necessarily follows, if a man resides at such a place as Birmingham, that therefore he would be mixed up with party feeling.

Q. 224. But is not there a risk of it?—*A.* Very little.

Q. 225. Do not you think that a six weeks' intermediate quarter sessions, which has been tried at many places and found to answer extremely well, would be sufficiently frequent?—*A.* I think six weeks quite sufficient in an ordinary way, but I should say not in very large towns like Birmingham, with an immense population.

Q. 226. Do you anticipate that there would be any difficulty in getting the attendance of grand jurors?—*A.* I should say none at all; because they have a certificate which excuses them for a certain time—I think two years under the present system.

Q. 227. If this plan be carried into effect, will you have any calendar at your quarter sessions for the county?—*A.* Very little more to do than try appeals, and the ordinary county business.

Q. 228. Then there would be no arrear of business?—*A.* No.

Q. 229. Because the ambulatory court would reach the county town at particular periods?—*A.* Yes.

Q. 230. Are the expenses certified by the committing magistrate a principal head of expense at the assizes?—*A.* Not the principal; but they have considerably increased the expense of prosecutions.

Q. 231. Was it not the case that, before the Act, some expenses, before commitment, or of commitment, were allowed?—*A.* Those of conveyance to prison, which were allowed by the county, by an order on the treasurer. The committing magistrates now, by Peel's Act, can allow the expenses of the constable, and prosecutor's time, as well as witnesses'.

Q. 232. Have you any suggestion to offer, with a view to remedy the evil?—*A.* The only suggestion which I should make, besides that of repealing the Acts, is, that the quarter sessions should have a judicial power of rejecting or altering that account.

Q. 233. Do you think it would be right that the clause should be repealed—that those expenses ought not to be allowed?—*A.* Yes; there were no complaints before.

Q. 234. Does this apply to sessions as well as assizes?—*A.* I believe so.

Q. 235. The first expense is the expense of search and apprehension; that the committing magistrate has nothing to do with?—*A.* No.

Q. 236. The next expense is the expense of the examination and attendance before the committing magistrate?—*A.* Yes.

Q. 237. Before Peel's Bill, the expenses of the justices' clerk, and of the constable, used to be allowed, though there was no legal sanction for it; but Peel's Act gives the power of allowing the expenses of the prosecutor and his witnesses; and the evil, so far as one can trace it at present is this, that the certificate of the magistrate, when it comes to the assizes, (and I suppose it is the same at the sessions,) is considered final and conclusive; is that the case with you?—*A.* That is the point. Soon after Peel's Act passed, in acting upon it, I invariably altered the accounts when they appeared unreasonable, and would not pass them; and I did so for several sessions, till at last it was declared I had only ministerial authority, and I discontinued doing so.

Q. 238. Then is it your opinion there should be some control vested in the sessions?—*A.* In the court before whom the prisoner is tried.

Q. 239. Would you propose that there should be an officer to tax these expenses?—*A.* I think the clerk of the peace is quite sufficient; whenever we did alter them it was entirely at his suggestion; he drew our attention to it. The accounts are brought to the court, when they are handed to the chairman by the clerk of the peace, who signs his initials.

Q. 240. Do they then pass to the treasurer, under the authority of the order of the chairman at sessions?—*A.* Yes.

Q. 241. But, at present, you consider you are bound to allow them without question?—*A.* We do; we have taken an opinion on the subject, and we find we have no power to alter them.

Q. 242. Have you any reason to think that the allowance is greater than it ought to be?—*A.* In many cases we have thought so, and I instanced one particular case of the expense before the committing magistrate being £20; others brought to the sessions we cut down to one-fourth, and it was not appealed against.

Q. 243. With respect to the next head of expense, the conveyance to prison by the constable, have you any control over that?—*A.* We have a table of all our expenses, which is signed by the judges.

Q. 244. Then you have laid down a scale for these expenses, as you are empowered to do?—*A.* Yes; the Act of Parliament has authorized and almost directed every sessions in England to do so, and I believe that about *four* have done it, and no more; but we invariably have done it. Clerks' fees, criminal prosecution fees, and every thing we have regulated by the sessions; and you will find not more than one person in ten knows of the Act.

Q. 245. In those counties where it is not so, they consider the allowance for conveyance to gaol and to the constable just the same as the certificate; they consider it binding, without inquiry?—*A.* Yes: I forget what our allowance is; it is so much a mile; we never alter it.

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Q. 246. Are there any complaints in your county about the scale of allowance being different at the sessions and assizes?—*A.* The scale of allowance in our county is the same at both; but how it happens that the expenses are greater at the assizes than at the sessions, I cannot well understand. I do know that trials take up more time, because they are more serious offences, and have more witnesses; but I believe the clerks of assize have some poundage on the accounts. I know ours are one-third more at the assizes than at the sessions.

Q. 247. Are the counsel's fees allowed more liberal at the assizes than the sessions?—*A.* We allowed one guinea at both; but the counsel refused to take briefs at the assize with less than two guineas.

Q. 248. But even then, when the fees to counsel were the same, did you find that the expenses of a prosecution at the assizes were much greater in proportion than at the sessions?—*A.* Yes; because the judge had to examine all the witnesses himself, and instead of trying 20 prisoners a-day he tried 10.

Q. 249. But had the expense of counsel no effect on the expense of prosecutions at the assizes?—*A.* That is a very nice point. I did not observe the assizes lasted longer; I did not observe that; for the length of the assizes depends very much on the judge.

Q. 250. What is your opinion of the precise effect of striking off the fee to counsel at the Warwickshire assizes, on the expense of the prosecutions?—*A.* Why, for the first session or two, I certainly think it increased the expenses, and I will tell you why. The barristers who were in the commission would not assist the judge. The consequence of which was, that instead of two or three courts going on at a time, there was only one; latterly they have assisted the judges, and the courts go on as before. But, as a general position, I should say, that giving the counsel two guineas, to be in all prosecutions, would be a less expensive thing than not having counsel at the assizes, because there are serious offences; there are sometimes 15 or 20 witnesses. I have a different opinion about the sessions; and for the amount of fee, if it should appear to the court, before the prisoner is tried, that any of these allowances ought to be altered or increased, the court is at liberty to do so.

Q. 251. You have rescinded your former resolution, and now returned to two guineas?—*A.* Our former resolution was a guinea in all cases, and now we give a guinea at the sessions, and two guineas at the assizes, and I understand the counsel are satisfied with that.

Q. 252. They have returned to work?—*A.* So I understand.

Q. 253. Now with respect to the other expenses at the assizes and sessions incurred at the trial. There is no difference, in the county of Warwick, in the scale of allowance to witnesses; we understand it is the same for the assizes as the sessions?—*A.* There is no difference at all. The Act of Parliament says it shall be binding on all courts.

Q. 254. And what are the aggregate expenses?—*A.* I think £8 at the sessions.

Q. 255. And at the assizes?—*A.* I should say from £12 to £14.

Q. 256. But in all other places the first reason assigned for the greater expense at the assizes is a different scale of allowance, and here the scale of allowance is the same?—*A.* Yes.

Q. 257. Is there a more liberal allowance to attorneys?—*A.* Yes.

Q. 258. Are not the cases heavier, and embracing a more extended inquiry, at the assizes?—*A.* Yes, they are; they are capital offences.

Q. 259. And would that tend, to a certain extent, to increase the expense?—*A.* Yes: but I believe the clerk of assize or clerk of arraigns has a per-centage; I fancy he must have.

Q. 260. Then the first question is, whether it would be practicable for one and the same officer to act for the assizes and the sessions?—*A.* Yes, for the county which he is in, not for the circuit. I don't think it practicable that there should be the same officer for the whole circuit, but for each county. I think the clerk of the peace for the county should also be clerk of assize for each county.

Q. 261. And, whether the offices be combined or separate, do you think the payment by salaries preferable to the payment by fees?—*A.* A great deal; and, as far as I have talked to clerks of the peace, they are unanimously of that opinion.

Q. 262. Then, with reference to clerks of the peace, it is very commonly the case that they are employed by counties as solicitors, as well as clerks of the peace?—*A.* It is so in many counties.

Q. 263. Now, in paying these gentlemen by salaries, would you include in those salaries all the work they do for the county, or give them a salary for their ministerial office of clerk of the peace, and then pay them for the work they do as solicitors?—*A.* I would give them a salary for the ministerial office and pay them for what they do as solicitors, which, in point of fact, has nothing to do with the county, because they do it, not as clerk of the peace, but as solicitor; such as drawing up bonds, for instance, or conveyances.

Q. 264. Would there be no danger of their making charges which ought to be covered by their salary?—*A.* It is possible they might endeavour to do so; but, as all the expenses ought to go through a committee, I should think that it would be impossible to succeed. The great check and the great advantage in counties would be to have committees on every head of expense, and the sessions to confirm their reports, or not, as they think proper.

Q. 265. Have you committees of that kind in your county?—*A.* Yes; there is not a single thing that we have not a committee for—a house committee, a finance committee, a gaol committee, &c.;—we have six or eight committees.

Q. 266. You think it would be better to employ the same person, and to give him a salary for his ministerial duties, and pay him for what he does as solicitor?—*A.* Yes.

Q. 267. Do you not think it would be better to buy a man's whole time, and employ another person as solicitor?—*A.* The only object of that was to prevent imposition; now, if there is a committee appointed to investigate the expenses, a man never could succeed in imposi-

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tion; and, generally speaking, they are men of high professional character. I think it would be a less expeditious way of doing the business.

Q. 268. Would it not be better to pay for the whole by salary?—*A.* Our clerk of the peace's expenses are always laid before the finance committee, and there is every item examined; there is not a 6*d.* paid to any man living in our county that don't go through the ordeal of committees.

Q. 269. I suppose you don't know very much about attorneys' charges?—*A.* I don't know, except that I have paid a good many.

Q. 270. I think you have a petition from Warwickshire that Government should pay the whole, as they are supposed at present to intend to pay half the expenses of prosecutions. What do you understand is meant to be included under the head of prosecutions?—*A.* Before the county rate committee last year this subject was discussed, and we then wished to have the Government pay the prosecutions of the assize, thinking they were the heaviest. In consequence of its being said, in the House of Commons, that the Government would pay half the prosecutions, and Sir Robert Peel, if you recollect, saying that if he had been in office he should have paid them *all*, it, of course, rather excited our attention in Warwickshire, and we calculated, if they paid half, how much it would relieve us; and inasmuch as a 1*d.* rate in our county produces nearly £5,000, and inasmuch as £5,000 per annum is about the expense, or rather less than the expense of our criminal prosecutions, it followed that if Government paid £2,500, it would save us a halfpenny in the pound; and we calculated a halfpenny in the pound, on a farm of £100 a-year, would be just 50 pence, which, in point of relief, we considered a regular joke; and, therefore, we thought that if we could induce the Government to pay *all*, that would only be 1*d.* in the pound, and that would not be a great deal; that £5,000 a-year, out of £20,000, which we pay, (for we have only four rates,) would be a great relief to us; and the grand jury being of that opinion we signed two petitions, which I presented and gave notice of, merely to bring the discussion before the House, but not in much hopes of succeeding.

Q. 271. Then, in fact, it is a trifling relief only, whether they pay the whole or half the prosecutions?—*A.* It is.

Q. 272. The relief will be very inconsiderable?—*A.* Yes; but then a great deal of our supposed grievances and supposed reliefs are in imagination, and, if we think that we are relieved £5,000, it is almost as much real relief as if we had a greater boon.

Q. 273. If the Government would take on themselves an amount equal to the whole amount of the prosecutions in another form, instead of the prosecutions, and then by our recommendation we could considerably reduce the expense of prosecutions, do you see any objection to that?—*A.* None at all; because I am perfectly convinced in our own county if a plan were adopted for local jurisdiction, in order to try prisoners by summary conviction or by a regular court, I am perfectly certain our prosecutions would be reduced from £5,000 a-year to £3,000 per annum.

Q. 274. And therefore the relief now proposed by taking the prosecutions will be nothing?—*A.* Very trifling.

Q. 275. What is the amount of the poor-rate at Leamington now?—*A.* Leamington pays the same rate now as it did before it became enlarged as a watering-place. There are now 7,000 people in it.

Q. 276. Then, if taking off the prosecutions, whether half or the whole, would not, in your judgment, be the most desirable mode of giving relief, has your attention been turned at all to what would be?—*A.* I believe relief can only be given by decrease of burdens generally.

Q. 277. With respect to gaols, which have engaged so much attention, many persons think it would be attended with very great advantage if they were placed altogether in the hands of Government, because there would then be introduced one uniform system of prison discipline throughout the country?—*A.* I think that would be a very good thing in every point of view.

Q. 278. May it not be said, to those who have the improved management of gaols at heart, if you take all the gaols in the country off our hands you may then carry your schemes into effect, and introduce one uniform system of prison discipline?—*A.* I think it would; and I am certain, if such a plan were adopted, our gaols would be too large. We thought of laying out £1,500 on our gaols last sessions, but we determined to wait.

Q. 279. But would it not still be desirable to keep those prisons in use?—*A.* Yes, as penitentiaries, or something of that sort.

Q. 280. You would not allow them to fall into decay, you would use them as you have done?—*A.* With respect to Birmingham, if this plan were adopted the inhabitants would have to lay out £10,000.

Q. 281. Do you mean that it would be required to build gaols at different places for prisoners before trial?—*A.* Yes; places for safe custody.

Q. 282. But if any improvement were discovered in prison discipline, as if the American plan was found to answer, the expense of making penitentiaries would necessarily be very great?—*A.* The expense I just alluded to of £1,500 was for separate cells.

Q. 283. And that, if carried to a great extent, would be enormous?—*A.* Just so; and I agree, if all the expense and management were in the hands of the Government, it would be better. Another advantage is, it would prevent any sort of jobbing.

Q. 284. Does it occur to you that, if Government had all the gaols in the kingdom in their own hands, they might, by doing the thing on a large scale, in the wholesale way, in making their contracts, be able to do it cheaper than the counties?—*A.* I think the great disadvantage of having inspectors is, that it will clash so much with the visiting magistrates as to create a jealousy, whereas, if they have the gaols in their own hands, there will be no visiting magistrates at all. There may be abuses now, but I should say, generally speaking, the visiting

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magistrates and other magistrates do their duties as disinterestedly and strictly as it is possible for any set of men to do it.

Q. 285. If they laid down any rules the magistrate would see that they were carried into effect, I suppose?—*A.* I think taking the gaols entirely into the hands of Government, and having their own visiting magistrates or visiters, or whatever you please to call them, would be better, and one in a circuit would be quite enough.

Q. 286. Has the subject of the police at all engaged your attention?—*A.* I cannot say it has. Our rural districts are in a very quiet way; I have lived now in my parish 25 years, and I do not recollect above one or two instances where it was necessary to send for a constable, and we are 1,500 persons, and 6,000 acres. Generally speaking, I think the constables are very inefficient in the country. At the same time I often observe where you bring constables and bring lawyers, it very often creates quarrelling, which never existed before. Previous to Peel's Bill the expenses of assaults on constables were never allowed, and we had not two prosecutions in the course of a year. Now the expenses are allowed, we have not a session but there are two, three, four, or more assaults on constables, and the assaults, three times out of four, are a push, or what might be looked over without any public inconvenience.

Q. 287. Do you think it would be desirable to repeal that part of the Act?—*A.* Decidedly; I think it has caused more ill blood and more expense than any one of the alterations of the law. We never had any prosecutions for assaults on constables before that.

Q. 288. It is not imperative to allow the expenses in these cases?—*A.* No; but we seldom refuse them.

Q. 289. But you can mark the difference in the cases where you have the power to allow them, and are not compelled to do it?—*A.* That directory part of the Act, "*shall and may allow*," we have construed that we are to allow. I don't mean to say we have not the power to disallow the expenses if we think they are unjust. We never allow expenses on robberies in bawdy-houses; if the Act were imperative we should have no choice, but we don't think it imperative in that sense of the word; yet, except it is a very decided extortion to get money, we always allow them. But they have increased most amazingly with us. I don't mean to say that they prosecute for the money, because that would be a very serious charge on a man; but such is human nature, that a man is indirectly impelled to his own interest, without perhaps being aware that it is so. My original wish and plan was to have a local jurisdiction at petty sessions. There is hardly an instance in the county of Warwick in which there is not a petty session once a fortnight, at which there must be two, and there are very often four or five, magistrates; that was one of the plans, and that is the plan of the Duke of Richmond; he has a Bill I have seen drawn up in manuscript on that very point, allowing magistrates at petty sessions, by summoning a jury of five, or six, or seven, or some smaller number, to try them *instanter*. I think your scheme is better; you secure attendance of persons to try. Your plan is more expensive, but more effective. You would keep a professional circuit Judge in perpetual motion.

Q. 290. Are not the expenses of gaols enormously greater than those of prosecutions all through the country?—*A.* Yes: I suppose, in your plan of Government taking the gaols, the expense of the debtors would be still left as it is; because there are straw debtors and gentlemen debtors. There is a petition every session from the straw debtors for bread, and we allow it to them out of county allowance.

Q. 291. Might not the Government take on themselves certain items which there could be no mistake about; first of all the repair of the buildings, the salaries of the officers, and the diet of the prisoners?—*A.* The dieting is fixed. The dieting is on a scale of 2*s.* 9*d.* a-head, so that there can be no possibility of abuse there. The Chancellor of the Exchequer might do it a vast deal cheaper. If there was a prisoner who was a baker he might make him make the bread. We saved £300 the first year that we made our own bread. If it were in the hands of a large company, such as Government, they would do it infinitely cheaper. I wish the Duke of Richmond would think of it.

Q. 292. To proceed with what the Government can do—wherever you have any table of fees, or any thing to regulate in the different counties of England, would it not be better to have the tariff or table approved by the Secretary of State for the Home Department, in preference to the Judges who go the circuit for the time being?—*A.* Decidedly; because by that means they can make an uniform allowance, and also, if there is any thing which requires alteration, they can revise and alter it without annulling the whole, and getting the sanction of the Judges every time it is varied.

Q. 293. They may be empowered to alter, while the Judges can only approve?—*A.* Yes.

Q. 294. There is nothing under the head of conveyance that your county complains of?—*A.* No; that is all done by contract.

Q. 295. Are they managed very economically at present?—*A.* Yes.

Q. 296. Both the conveyance of transports, (which you have at present, though you expect to get rid of it,) and the conveyance of prisoners to gaol before trial?—*A.* Yes; that is all done by contract, and as economically as it can be; so much so that the contractors complain, which is a very strong proof that they are not overpaid.

Q. 297. There is one great abuse pointed out to us from the northern counties, which is, that under the Act which allows prisoners discharged from gaol to have a pass-warrant to carry them to their supposed places of settlement, they travel up to the North and back again, and are a great expense to the counties in that way?—*A.* We seldom hear of it.

Q. 298. Is there nothing else that occurs to you that you can suggest on the subject of the county rates?—*A.* No; the thing that we all want is a new valuation for the county rate.

Q. 299. In the county of Warwick have you made any regulation of magistrates' fees, or

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fees taken by magistrates' clerks?—*A.* Yes, within the last two or three years; we have had them drawn up and signed by the Judges; I can send you them all if you require it.

Q. 300. Besides the petty sessions, do magistrates do business at home?—*A.* Where one magistrate is only required; but, generally speaking, the magistrates meet once a fortnight.

Q. 301. Have they then a clerk, or only when they attend the petty sessions?—*A.* Only at the petty sessions. I never had a clerk myself, but I always take the fees. I did not do it at first, the consequence of which was, that I had all the business of the hundred, and I saw that would not do, and so I took the fee and gave it to my butler, or put it in a box for the poor, just as it happened; I did not take it when the parties were poor. But there is one point which I think ought, in any new regulation, to be attended to, which is, that the clerks of the magistrates should not be the prosecutors in the cases where they are concerned in the commitments. There are three clerks at Birmingham who are not Birmingham clerks, because any magistrate who attends may appoint his own clerk if he pleases; but from long usage the clerks in the office are considered the clerks of the office, and take in turn each prosecution, so that the whole of the prosecutions are conducted by them. Some time ago it excited a good deal of attention, and I then inquired in all the offices in London what was the practice, and I found only one office in London where the clerk was the attorney for the prosecutor; but in the petition which I presented a short time ago this is noticed, and it is recommended that the clerk who is employed by the committing magistrate should not act as attorney also in the prosecution; for, though I don't mean to say that the clerk will urge conviction in order to get his expenses, yet still it would turn the scale if the balance of doubt were even.

Q. 302. Do not these magistrates' clerks who have long had the business bring their briefs better got up than other attorneys?—*A.* What is their brief? A copy of the depositions. There is another great improvement I should like to see, which is, that a copy of the depositions should always be given to the prisoner on his commitment. A man comes into the dock, and he don't know hardly what for; for he certainly knows very little of the charge and evidence against him. I think a copy of the depositions should be given him.

Q. 303. What would be the expense of that?—*A.* Why it might be 1*s.* for the copy.

Q. 304. He always hears them read?—*A.* Yes, he always hears them read, but he cannot remember them, particularly when read under the apprehension of commitment to gaol.

Q. 305. Would you give it him on payment of any fee, or gratuitously?—*A.* I would not make him pay any fee, I would make the county pay the fee; but I think he ought to have a copy of the depositions. He comes into court, and knows not what the evidence is against him; he has suddenly to answer a case when he hardly knows what it is.

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Edward Buller, Esq., M.P., called in and examined.

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Q. 306. Can you inform us whether, till lately, a table of fees was published in the county of Stafford?—*A.* Till lately no table of fees at all was published in the county of Stafford.

Q. 307. Do you speak of the assizes and sessions, or the sessions only?—*A.* The whole. There were no fees at all published by the clerk of the peace; I called his attention to the statute which gave the magistrates the power of revising the table of fees, which statute requires that the table of fees should be printed and hung up in court. His answer to that was, that as he only took the ancient and accustomed fees, and as the table of fees had never been revised under that Act of Parliament, he did not conceive he was bound to publish any such table; but in consequence of the representation that was then made, and I may say also at his own request, the table of those fees he was in the habit of taking was published.

Q. 308. Ultimately, I think you say, he did furnish a table of fees?—*A.* Ultimately a table of fees has been published. I wish we had that table of fees, and I think it might be easily obtained.

Q. 309. How long has it been published?—*A.* About three years.

Q. 310. What is his reason for declining to give any further information?—*A.* The reason why he declines to give any further information to the Board, I imagine, is that he won't do so without being paid; and the magistrates of the county of Stafford, on seeing the Report of the Lords, determined not to pay him. At present, it appears to be very doubtful whether the magistrates have a right to pay those expenses. The House of Lords say they have no good authority for it.

Q. 311. Is it stated, in this table of fees, on what authority the fees were taken that are mentioned in that table?—*A.* There is no authority for the greater part of them; some are under Act of Parliament, but for the great majority of them there is no authority whatever.

Q. 312. Does it appear to you that a revision of those fees is important?—*A.* It appeared to me that the fees obtained were infinitely beyond the duties discharged by the clerk of the peace. I can from recollection mention some. Every order of court—the most common order—is charged 7*s.*, even to the order for the payment of his own bill. That appeared to me to be a charge which entailed very great expense upon the county, and was certainly more than an adequate remuneration for the duties discharged.

Q. 313. The duty would consist in merely drawing up the order, would it not?—*A.* Merely drawing the order. For instance, the most trifling order—an order for the appointment of a gaol committee, an order for the appointment of magistrates to visit a lunatic asylum, an order

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of court that the magistrates of a certain hundred should look to the repairs of a certain bridge.

Q. 314. However trifling the order, the fee is the same?—*A.* Yes; and the strongest case was the order for the payment of his own bill.

Q. 315. Who is the deputy clerk of the peace?—*A.* It is very difficult to ascertain who is the deputy clerk of the peace, and who is not. Mr Hinchley is the clerk of the peace, holding the appointment from the *custos rotulorum*; he appointed, some years ago, as his deputy, Mr. William Keene; since his death, his brother, Mr. George Keene, has acted as deputy clerk of the peace, and I always imagined him to have been regularly appointed; but Mr. G. Keene told me the other day that he was not the deputy, but merely discharging the duties of the deputy.

Q. 316. Who then is the deputy?—*A.* Mr. William Keene, the brother of the present Mr. George Keene, was the deputy till his death; since that time Mr. G. Keene appears to have discharged the duties of the deputy without a regular appointment.

Q. 317. There is only one person employed as deputy, I presume?—*A.* According to Mr. G. Keene's statement to me, Mr. Hinchley has had no regularly appointed deputy since the death of Mr. William Keene. I rather think, in consequence of certain representations that were made, it was considered desirable that he (Mr. Hinchley) should attend in person at the sessions, and he now always does so; but, with this exception, all the duties are discharged by Mr. G. Keene, who resides in Stafford, and also acts as under-sheriff.

Q. 318. Did you understand there was then a deputy clerk of the peace?—*A.* No; there is now no deputy.

Q. 319. The deputy is dead, and there has not been a deputy appointed since?—*A.* No.

Q. 320. You were calling our attention to the fees; will you proceed with that statement?—*A.* Another fee is that of a prisoner acquitted or discharged by proclamation; for that there is a fee of 13*s.* 4*d.* The Act of Parliament, I believe, authorizes the clerk of the peace to receive the accustomed fee, and we are told that the accustomed fee was 13*s.* 4*d.*

Q. 321. That is higher than it is in some parts of the country, I think; it is only 6*s.* 8*d.* in some parts?—*A.* I don't know how that is; it amounts to a very large sum. I have known these sums come to as much as £25 for one session. There is also another fee for discharging the prosecutor's recognisances. My attention was called particularly to this charge, for by a recent statute it does not appear that there is any necessity for discharging the recognisances of prosecutors and witnesses. No recognisances now can be estreated without an especial application to the court, and the court certifying that the ends of justice had been defeated by the non-appearance of the prosecutor and the witnesses; so that, in point of fact, a discharge of the recognisance is no longer necessary for the safety of the prosecutor or the witnesses; yet the clerk of the peace and the clerk of assize still continue to take the fees.

Q. 322. On the discharge of a recognisance?—*A.* Yes.

Q. 323. Do they take 13*s.* 4*d.*?—*A.* No; a smaller fee; the precise amount I do not recollect.

Q. 324. But that is not paid by the county; it is paid by the witness?—*A.* The discharge of recognisance is paid by the prosecutor.

Q. 325. And you observed, with respect to that fee, it is not necessary that there should be a formal discharge?—*A.* No; it is a charge for doing that which is no longer necessary. Another objection which we took to the table of fees when printed was, that wherever a parish is concerned there is a higher charge than where individuals are concerned.

Q. 326. In what cases?—*A.* In all cases; for instance, entering a fresh plea, each defendant 4*s.*; for a parish or a township 6*s.* 8*d.* Then again, recognisances taken in court, each defendant 4*s.*, if a parish or township 6*s.* 8*d.*; it goes through the whole practice.

Q. 327. Are you aware of any reason why there should be a higher charge in that respect?—*A.* I asked the clerk of the peace, and he said that there was more trouble in dealing with a parish, for you had to serve it on two overseers sometimes.

Q. 328. The chief reason is that it comes out of the public purse, is it not?—*A.* I imagine so; it appeared to us really the reason was because the parish could afford it. The greatest difficulty which we have in putting the whole payments to the clerk of the peace on a satisfactory footing according to the present law, is, that though we have the power of revising the table of fees, that table of fees cannot come into operation without the consent of the Judges; and it is not easy to obtain the consent of the Judges to any material alteration.

Q. 329. In point of fact, then, you have not acted under the authority given by the statute?—*A.* To this extent only; at the last sessions we drew up a revised table of fees, which we recommended to the court for their sanction, and that it should be laid before the Judges at the ensuing assizes. The magistrates who were then present objected to giving an immediate sanction to it; and, on the recommendation of several, it was agreed that the two tables should be printed side by side, and circulated among the magistrates, and that we should come to a determination upon them at the ensuing sessions.

Q. 330. Another difficulty is, that the Judges have the power only of allowing it as it stands; they can allow only, and not alter; and, therefore, it is very difficult to satisfy them?—*A.* Yes.

Q. 331. Sir Eardley Wilmot has stated, and perhaps you will concur in that opinion, that it would be a very great improvement if, instead of that power being given to the Judges, who are not the same coming at the successive assizes, and whose powers are limited, it was placed in the Secretary for the Home Department?—*A.* I entirely agree in that; the Secretary for the Home Department could have no interest whatever in keeping up these fees; the Judges having the appointment of the clerks of assize are, to some degree, unwilling that their emoluments should be diminished.

Q. 332. Do you propose to have this apply to assizes as well as sessions?—*A.* I should recommend it to apply to both.

Q. 333. Does the table, as drawn up?—*A.* The table, as drawn up, I rather think, does not.

Q. 334. It is only the clerk of the peace's fees?—*A.* Only the clerk of the peace's fees. I don't see in this return the entry of the salary of the clerk of the peace, which, in the table as it is published and hung up in this court, does appear. In the county of Stafford there is a small sum for salary.

Q. 335. He has made no return to the Lords of any salary?—*A.* Yes, here it is; his annual stipend, £3 10*s.* We have not been able to ascertain from the clerk of the peace under what statute he is entitled to that stipend. He told us it was under a very old Act of Parliament; he did not refer us to the Act, but he said it was a very old Act of Parliament, and that it was not competent for the magistrates to alter it.

Q. 336. Do you think it would be desirable that he should be paid by salary, instead of fees?—*A.* I am decidedly of that opinion.

Q. 337. Do you think his services would be as effectively performed if he were paid by salary?—*A.* No doubt they would, if there were a proper control over him in the hands of the magistrates.

Q. 338. It appears that he returns a salary of £14 for four years, which would be about what you say, and he puts his annual remuneration altogether at £1,500 a-year, upon the average; do you know what the arrangement is between him and his deputy?—*A.* I believe the arrangement between him and the gentleman who acts or who does the duty (as deputy) is this: that the whole receipts of the office are, in the first instance, received by Mr. George Keene, all the expenses are then deducted, and the remainder is equally divided between the clerk of the peace and the gentleman who discharges the duties.

Q. 339. In fact, therefore, the emoluments pay two persons?—*A.* In fact, it is perfectly clear all the duties may be done for one-half what they now are.

Q. 340. Does what you state apply to the receipts by bill and the fees together?—*A.* The whole together.

Q. 341. Then, it comes to this, that, in your opinion, one-half the receipts would be sufficient remuneration for the services?—*A.* I have no doubt that one-half would be sufficient, and more than sufficient.

Q. 342. But, do you suppose that all that business for which a bill is sent to the county is done by the deputy, and not by Mr. Hinchley?—*A.* The whole of it.

Q. 343. Do you think that the union of the office of clerk of the peace and clerk of assize for the county would be expedient?—*A.* I have not been able to form any opinion myself, but the opinion which I should give would be formed rather from the evidence which has been given before the House of Commons and the House of Lords. At first, I should be inclined to consider it desirable, but I am told the Judges would object to it on account of its being necessary for them to have a person who could go round the whole assizes with them. I am not aware how far that objection is an insuperable one.

Q. 344. In the event of such a plan being adopted, do you think it would be necessary to make any addition to the salary, considering that one-half the present would be sufficient for the clerk of the peace?—*A.* I think the present emolument received by the deputy clerk of the peace would be amply sufficient to remunerate him for all the duty he could discharge as deputy clerk of assize.

Q. 345. Are you aware that, in a case in which it has been tried on the home circuit, they have appointed their clerk of the peace clerk of the assize, and that has not been objected to by the Judges?—*A.* I should have great objection to the Judges appointing the clerk of the peace. If the change were to be made of putting the clerk of the peace upon a fixed salary, instead of remunerating him by fees, I think, unless the magistrates had some greater control over the clerk of the peace than they have at present, they would be in a very great difficulty.

Q. 346. Do you consider that the payment by salary would be parting with their control?—*A.* At present we have no control; but, then, for all the work that he does he is paid a certain compensation, either by fees or by bill, and has an inducement to be diligent. If he were to be put upon a fixed salary, then it would be his object to do as little business as possible; and, in order to ensure the diligent discharge of the duties of his office, the court of quarter sessions ought to have the power of dismissing him.

Q. 347. If he were put upon a salary, would your view be that he should for that salary discharge, not only the regular official duty of clerk of the peace, but also such business as he transacts as solicitor?—*A.* I think so; I think you might give the magistrates, or any authority in whose hands you choose to lodge the appointment, the fixing a salary within some degree of latitude; to fix that salary in proportion to the work to be discharged, and that you might require from the clerk of the peace his whole time.

Q. 348. But, would not, in that case, the objection arise which you have just suggested, of the want of control; the officer being paid by a fixed salary, and yet employed on the general business of the county as their solicitor, might not there be danger that he would give dissatisfaction to the county, in his capacity of private solicitor, without your having the means of sufficiently checking him?—*A.* I think the best check would be to give the magistrates the power of removing him.

Q. 349. In the event of his giving just cause of dissatisfaction?—*A.* Yes; make him removable by an order of sessions.

Q. 350. That he is not now?—*A.* He is not now; he is now appointed by the *custos rotu-*

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lorum; being so appointed, he is entitled to all the accustomed fees and emoluments; he is, indeed, removable for any misdemeanor or misconduct, but, where the duties are discharged by deputy, it is perfectly clear the principal can be guilty of no such misconduct or misdemeanor, and you have no right to remove the deputy.

Q. 351. It is the opinion of a gentleman who has been examined here, that the giving him a salary for his official duties, and leaving him to be paid for his professional duties, would be the mode of keeping the best control over him; does it occur to you that that would be the case?—*A.* I think his professional bill would then be very large.

Q. 352. But if you buy the whole man, and say he shall do both—a man can only do a certain quantity of work; he can only work every hour of the day?—*A.* I would not put it upon that footing, I would leave it to the magistrates; give them some latitude, let them say the duties are such that an ample remuneration is £500, £600, £700, or £800 a-year, according to the work done; then calculate the number of clerks he would employ to discharge the duty, and if it should happen that an increase of duty is thrown on his shoulders, give him the power of applying by petition to the court of quarter sessions, and give them a right to increase that salary if there is a case made out.

Q. 353. If he were paid by salary, what would you do with the fees? should they be thrown into a fee fund for the indemnification of the county?—*A.* With regard to all those fees which were paid by the county, I should recommend that they should cease altogether; but the fees that are paid by individuals, those might be either paid to a fee fund, or they might be received by the clerk of the peace as part of his remuneration; you might give him a salary and those fees which are paid by individuals.

Q. 354. Are there any other heads in his table that occur to you as objectionable?—*A.* We recommend generally a reduction of the charges.

Q. 355. They seem all too high in your opinion?—*A.* We thought them all too high.

Q. 356. Did you form that judgment by comparing it with the table in other counties, or from the nature of the business?—*A.* No; I think generally from the sums received altogether amounting to what we considered too large a sum.

Q. 357. The sums received according to this statement would be only about £700 a-year, and it seems to result from your opinion that you should think that about a sufficient remuneration for the whole business?—*A.* I should.

Q. 358. So that if he received nothing but fees, and nothing for business, the total amount of fees would not appear to be too much?—*A.* No; I should almost doubt whether then the fees would be an adequate remuneration, because the £700 a-year received from fees are not clear, there would be certain deductions for office expenses to be paid.

Q. 359. And is there not a great deal of money which is very difficult of collection from poor persons? however, at all events, you consider the amount of fees too large in respect of the business done under each head of service?—*A.* Yes; and, altogether, considering the remuneration of the clerk of the peace too high, and finding that we had the power of reducing a part of the fees, we thought we were justified in recommending a change. There is this particular fee, which I before alluded to, of 13*s.* 4*d.* on every discharge by proclamation; formerly, though the sum to be paid by each prisoner who was discharged would be 13*s.* 4*d.*, in point of fact the clerk of the peace did not obtain that 13*s.* 4*d.* in one case in three or four. The rule in the county of Stafford, I am told, was, never to demand it of a prisoner unless he was in such circumstances as to employ counsel in his defence; so that now the clerk of the peace receives under that head about three or four times what he used to do.

Q. 360. What kind of service attends that duty, the discharge by proclamation? is it merely the entry?—*A.* I imagine nothing more than that.

Q. 361. There has been a notice of, and I believe a presentation of, a petition from the county of Stafford; did it relate to this subject?—*A.* It related generally to the county rate. There were a great many different heads; one prayer was that the rate-payers should be represented at the quarter sessions. I presented the petition; it originated in a committee; a number of persons who associated themselves together for the purpose of inquiring into the county rates, obtaining information, and laying that information in such cases as they could make out before the magistrates.

Q. 362. Have you a copy of that petition?—*A.* No, I have not a copy of the petition; but the petition was printed over and over again in the Staffordshire papers. That was one prayer of the petition.

Q. 363. That they should elect the magistrates?—*A.* Not elect the magistrates, but they should elect certain persons who should represent them. The objection to that proposal appears to me to be the absolute impracticability of it. How could you have an election of persons to represent the rate-payers at the quarter-sessions? The petition also referred to prosecutions; and another prayer of that petition was that the Government should take on themselves the expense of prosecutions.

Q. 364. That was in consequence, I suppose, of the Reports of the Committee last year?—*A.* I dare say it was.

Q. 365. Do you think it would be a very considerable and material relief to the counties if Government would take on themselves the expense of prosecutions, considering what the amount of that item is in comparison to the whole charge?—*A.* I cannot say that the relief would be an extensive one; at the same time, in the depressed state of agricultural interests, I believe it would be well received.

Q. 366. Is that because anything would?—*A.* Because anything would. It would be rather taken as the symptom of the good intentions of the Government.

Q. 367. But don't you think more effectual relief might be given if they should take something else, and leave you to reduce the expense of prosecutions?—*A.* I think it would be very

desirable, if the expense of prosecutions is to remain a charge upon the county, that the magistrates should have larger powers than they now have over the expense of prosecutions at the assizes. That, perhaps, is one of the greatest difficulties—to establish any effectual control.

Q. 368. But the object of the present inquiry of course is economy; the object is to reduce the expense of prosecutions, and if relief is to be afforded by Government taking on themselves one portion of the local charges from the revenue of the country, would it not be better that they should take something that is not about to be diminished; now, supposing they were to take on themselves the gaols, would not that be a much more substantial relief?—*A.* I have great doubts about that from my own experience; I have known the gaol in the county of Stafford so well managed that I have very great doubts as to any advantage that would be derived from removing the administration of the gaols from the county magistrates.

Q. 369. Do you think it would not be better or more economically managed?—*A.* I think not.

Q. 370. But still it would be a greater relief to the county if that course were adopted, would it not?—*A.* Unquestionably, as far as the amount goes; the expense of the gaols being greater than that of prosecutions, it would be a greater advantage to the county, but if you transfer that charge from the county to the general funds of the country, you will then take away from the magistrates that direct interest which they have now in keeping down those expenses, and I don't know into what other hands you would place the control of the gaols so as to have a more efficient administration.

Q. 371. Don't you suppose, if the Government had all the gaols of the country in their hands, and adopted one uniform system of prison discipline, that they would be managed more economically than they would be by the county, or at least quite as economically?—*A.* I can have no doubt that they might do it equally economically. With regard to the uniformity of discipline, I think that is perfectly easy, leaving the control with the magistrates.

Q. 372. Could not the gaol expenditure be better controlled by the Government than the prosecution expenditure?—*A.* The difficulty appears to me to be in there being two different tribunals, and two different sets of officers.

Q. 373. You mean that the county could not effectually check the assize prosecutions; is that what you mean?—*A.* I think I may say that, supposing there were a proper person appointed by the Government to attend the Judges on their assizes, with the assistance of persons acquainted with the different counties, I have no doubt that that control of the expenditure might be made extremely efficient.

Q. 374. Do not you think if the office of the clerk of the peace was united to the office of the clerk of assize, or clerk of the crown, and he was an officer salaried by the county, or in some measure under the control of the county, so that he should be a county officer, don't you think on that plan the expenses at the assizes would also be effectually checked and controlled as well as those at the sessions?—*A.* I certainly think they might. But the important change is to have some efficient person to control the expenses of both the assizes and sessions.

Q. 375. Would not there be the same objection to sending inspectors of gaols under Government? Would there not be the same need of control, if gaols were under the superintendence of inspectors, as there would be if they were under the inspection of the magistrates?—*A.* No; I am clearly in favour of having everything under the control of one efficient set of officers.

Q. 376. And with respect to prosecutions at sessions, is it not more convenient to place those under the control of the magistrates at the sessions than under the control of the Government?—*A.* Yes, I think it is; it is easier.

Q. 377. Even if that control is not efficient, how would it be likely to be more so, if the Government were the paymaster? Is there not always a willingness to get as much as they can out of the public purse?—*A.* Everything would depend on the officers they appoint. They are appointed now by the Judges, and there is not that attention to economy that there would probably be on the part of the officers appointed by the Government.

Q. 378. In point of fact, there has been no supervision at all of the different amounts of the assize expenses or the session expenses. Is it so?—*A.* The magistrates have, I believe, called the attention of the judges to the expenses at the assizes,—the large allowances which are given to the witnesses, and other expenses,—and the answer they have received has been, that the Judges themselves have not time to attend to it on the circuit.

Q. 379. You have asked Government to take the whole of the expenses of prosecutions in the petition, have you not?—*A.* Yes.

Q. 380. Not half?—*A.* Not half.

Q. 381. Can you give us any idea how much the county rate in Staffordshire is in the pound on the real value—the actual rent?—*A.* I can give you no idea at all. The county rate in Staffordshire is levied upon the property tax. In the first instance it was assessed according to the property tax levied in the parish—the whole amount.

Q. 382. Is that generally above or below the real value?—*A.* The sum is always paid out of the poor's rate, and the poor's rate is then generally raised upon a rate which varies in different parishes; sometimes it is a rack-rent; others only three-fourths; others two-thirds.

Q. 383. Then you suppose there is a great inequality?—*A.* There is a great inequality.

Q. 384. Must not, then, one of the first remedies be a new valuation to make it equal?—*A.* There has been a great desire for a new valuation, and we have only been deterred by the expense.

Q. 385. You would be encouraged in that by the Lancashire and West Riding of Yorkshire experiment? Do you know the result?—*A.* Yes; it appears to have been done there in a very satisfactory and a very cheap manner; and I confess it appeared to me always that, with regard to a valuation for a county rate, it is not necessary to go to that extreme accuracy. The county

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rate has been materially reduced in Staffordshire within the last year or two. At the last making up of the quarter, at the last sessions, I think the difference was between £21,000 and £14,000; for the year ending at the Midsummer session 1834, the county expenditure exceeded £21,000; that ending at the Midsummer session 1835, rather more than £14,000. Our heaviest rates were in 1831 and 1832.

Q. 386. Your expenses of prosecutions are not so great as I should have supposed they would be; they are not £10,000 in three years?—*A.* They have become higher, I think, since 1827. In 1833 the county rates amounted to near £29,000, and last year they were little more than £14,000, which is lower than they have ever been since 1824. Material reductions have been made in various branches of expenditure; for instance, in the expense of conveying convicts to the hulks; and I have no doubt that, should the Government undertake the conveyance of prisoners from the gaols to the hulks, a considerable saving will be effected.

Q. 387. Do you think that the expense of prosecutions could be diminished by trying prisoners more frequently, and trying them in the neighbourhood of the place where the offences are committed? would this be an improvement on the present system?—*A.* I have no doubt that a great deal of expense might be saved by trying trifling offences and juvenile offenders before a bench of magistrates.

Q. 388. But if we were to substitute for a bench of magistrates a Judge, who should be paid by the Crown, who should receive a competent salary, and whose functions should be ambulatory, to go round to the large towns in the county and to other districts in the county, forming a local criminal court, held successively in different parts of the county; do you think that that plan would be free from some of the objections that the jurisdiction by magistrates is subject to?—*A.* I think that it would be necessary to have a gaol establishment in every considerable town, and then I doubt whether any expense would be saved.

Q. 389. You mean taking into account the salary of the Judge?—*A.* And also taking into account the expense of building and maintaining the gaols, salaries of officers, and maintenance of prisoners; my opinion is, that you cannot maintain the same number of prisoners in different parts so economically as you can in one gaol.

Q. 390. But the prisoners for punishment might be continued in the same places as they are at present; for the plan suggested you only want places of custody for trial. The conveyance of the prosecutors, their witnesses, and the constables, would be saved. We are told the greatest saving would be effected by having a trial on the spot where *they* reside, even if the prisoners were removed from the county gaol. It would get rid of the allowances for mileage and maintenance to them, and it would shorten the period at the assizes or sessions that the jurors as well as the witnesses would be detained. How many gaols are there in the county of Stafford?—*A.* There is only one important gaol in the county of Stafford. There is a small borough gaol at Newcastle, but there are a very few prisoners there. There was one at Wolverhampton a few years ago, not now.

Q. 391. Of the prisoners that are tried in the county of Stafford, from what part does the greater number come?—*A.* I think the greater number comes from the neighbourhood of Wolverhampton and the mining district.

Q. 392. All that district from Wolverhampton to Birmingham, it is to be feared, abounds with crime?—*A.* Yes; a considerable number comes also from the manufacturing district in the north, from the potteries.

Q. 393. Now if a session were held for those districts respectively, the mining country and the potteries, would not that be a considerable saving to the county at large?—*A.* The objection, in my opinion, to that proceeding is the one I last stated, that you must then have separate gaols at those places.

Q. 394. Subject to that objection, you think the plan would tend to economy?—*A.* It might to economy; I think, however, that it would almost involve the question—which is a very important one—whether you should, or not, have a stipendiary magistracy.

Q. 395. Would it not be preferable to have a stipendiary magistrate—a professional Judge paid by Government?—*A.* He would, in fact, be a minor Judge.

Q. 396. He would go a Crown circuit, he would not be put upon the footing of a superior Judge at Westminster; but suppose him a competent person?—*A.* Such a tribunal might certainly be substituted for the court of quarter sessions.

Q. 397. Leaving to the assizes the trial of all capital cases?—*A.* Yes; there are many advantages, certainly, which would arise from that system.

Q. 398. Would you state particularly what occur to you?—*A.* I have no doubt that you might materially save in the allowances to prosecutors and witnesses; and I have no doubt that the justice of the country would be both as well administered as it is now, and as satisfactorily to the public.

Q. 399. Would not much be saved in the conveyance of witnesses to the places of trial, and in their maintenance while there, because the distance would be shorter?—*A.* Yes; but you might substitute your Judge for the court of sessions, and still hold your trials at the same place that you do now. I think there are two separate questions: one is, whether you should increase the number of gaols, and increase the number of places where the sessions should be held; and the other, (which is a distinct question,) which is the best tribunal,—a stipendiary Judge or magistrate; because you might, if you thought fit, hold quarter sessions at all these towns.

Q. 400. The idea is expressed by having more frequent trials on the spot, at reduced expense borne by the place itself, except the professional Judge?—*A.* The two questions appear to me distinct: one, whether you should have the professional and salaried Judge, or whether you should have the court of sessions; the other question is, whether you should hold the sessions at one place, or more; and I confess, that with regard to increasing the number of

places where the sessions are held, I should have great doubts as to the economy of that arrangement.

Q. 401. And holding the sessions more frequently?—*A.* Yes; that might be adopted under our present arrangement, and that, no doubt, would be a saving of expense; the only difficulty would be to secure the attendance of a chairman and magistrates at the sessions, if frequently held.

Q. 402. Would there not be a saving of expense in the maintenance of prisoners committed before trial, and who are detained sometimes two months, whereas, in the other case, if the trials were more frequent, they might be disposed of in a month or a fortnight?—*A.* I have no doubt there would be great advantage in holding sessions more frequently, on the ground of economy. And there is another ground which seems clear to every one, that it is more consistent with justice to try the prisoners as soon as you can.

Q. 403. Well, then, it seems admitted that there would be a great saving, in point of expense, in preventing the conveyance of prisoners and witnesses to one place of trial; would not this result from trying on the spot where they reside?—*A.* Then you must set against that the expense of building a gaol, salaries of officers, &c.

Q. 404. That would not seem quite necessary. It is ascertained that there is no such great expense in bringing the prisoners to trial, as there is in carrying the prosecutors and witnesses to the county town; so that where gaols could not be built under a great expense, they might bring the prisoners to the place of trial. Is not this practicable?—*A.* Yes; they might commit to the present gaol, and make the gaoler bring them to the place of trial. It appeared to me that there would be considerable expense in the salaries of the officers, if you increase the number of gaols; for I think nothing is so bad, in point of policy, as ill-paid officers in those situations.

Q. 405. In those places where there are no gaols, you consider the expense of building gaols, and the salaries of officers, likely to be so great as to take away all the advantage in an economical point of view?—*A.* Yes.

Q. 406. In places where there are gaols at present, it might be practicable; in others, would not your objection of the expense, or at least what you set against the saving, be remedied by committing the prisoners to the same gaol as now, and merely bringing them over to take their trials, because they are carried in caravans at a very inconsiderable expense, and the mere removing of the prisoners is not so great as the allowance to the prosecutors and witnesses?—*A.* I am afraid you would still find there would be a considerable demand on the part of prosecutors and witnesses; though you send the prisoners to be tried at the market-town nearest where the offence is committed, you have still some mileage, and you still have the payment for the day to the prosecutors and witnesses.

Q. 407. Suppose, for instance, that Staffordshire was divided into districts, and Wolverhampton was one, there would be to those witnesses who resided at Wolverhampton no occasion for making any allowance at all. In London, at the Old Bailey, whenever the case arises in the town, we find the expenses are most considerably reduced. The idea is to have an ambulatory criminal court which should hold sessions at the most important places in the county, and hold them more frequently than at present. The other is quite a different question—as to whether the trial should be by stipendiary or by unpaid magistrates. But, taking it either way, what is your opinion of the suggestion subject to the objection you have mentioned?—*A.* The whole question of the substitution of salaried Judges for the present magistrates of the county, I think a very important one. I think it involves other questions, and one of the most important is that by altering those tribunals you take away from the gentlemen who reside in the country the inducement to study the law of the country, and to make themselves useful.

Q. 408. You think it would not be desirable to deprive the magistrates at the quarter sessions of their jurisdiction in criminal cases, extending to all cases that do not affect life?—*A.* No. I confess the whole question is one to me that is so wide and extensive that I see many advantages on both sides, and many objections on both sides. From my own experience in the county of Stafford, I have seen justice so well administered at the court of quarter sessions that I very much doubt whether it will be possible to appoint a salaried Judge who will discharge the duty more efficiently than several of the magistrates do.

Q. 409. But suppose they discharge it as efficiently, don't you think the expense of prosecutions would be very much diminished by such a system, if it can be adopted? What is the average expense of prosecutions at the sessions in Staffordshire now?—*A.* I am not quite prepared to say the difference between the two.

Q. 410. But taking the expenses at the assizes to be £15, and the expenses at the sessions to be £7, don't you think that expense might be very materially diminished by holding local sessions?—*A.* I have no doubt that the expense of each prosecution would be materially lessened.

Q. 411. And justice as well administered?—*A.* I should say there are a great many advantages in the plan; but, as far as I have had an opportunity of judging, I should say the present principle works well as far as regards the administration of justice.

Q. 412. But though the principle works well as far as regards the administration of justice, does it work well as far as regards economy?—*A.* I am perfectly ready to admit there would be considerable saving in the expense of each prosecution in the plan proposed, but other expenses, viz., on account of gaols, courts, and Judges' salaries, would be increased.

No. 5.

TUESDAY, 20th OCTOBER 1835.

Richard Shute, Esq., a Magistrate of the County of Devon, was examined as follows:

Examinations.

No. 5.
Richard Shute, Esq.
20th October 1835.

Q. 413. Are you an acting magistrate?—*A.* I am.

Q. 414. Are you familiarly acquainted with the working of the present police system of the county?—*A.* I am.

Q. 415. Is the remuneration of the present constabulary force adequate and properly secured?—*A.* Certainly not.

Q. 416. Do you think there is any deficiency of zeal and activity to be attributed to that source?—*A.* A great deal certainly; but that is not the only cause.

Q. 417. Are they ever impeded in the discharge of their duty by local connexions?—*A.* Constantly.

Q. 418. Do you think they are a sufficiently intelligent, and skilful, and respectable class of men?—*A.* Unquestionably not, in many cases.

Q. 419. Do you consider the present constabulary force as being efficient?—*A.* Very much otherwise; some of them in my district are incapable of reading, they are commonly selected from a class of people whose education and abilities are very inadequate to the duties they have to perform.

Q. 420. Will you have the goodness to enumerate any other causes for their inefficiency which occur to you?—*A.* One in principle is the connexion existing constantly between the constables, and those upon whom it is their duty to keep an eye; and, unfortunately, the constables themselves are not always the most orderly persons in the community, and in regard to what may be strictly termed keeping the peace, I am sorry to say, within my observation, the constables are not unfrequently the first to break it: I do not mean that *generally* as to the constables, but such circumstances do occur; the constable is frequently the brother or near relative of the man who keeps a beer-house in the county, and ties constantly exist which must paralyze even the best intentions of the constables, even if they were at first disposed to do their duty, for which they have no stimulus, being very inadequately remunerated; and were they strictly to perform their duty their lives would be rendered intolerable. A circumstance occurred the other day in my neighbourhood: a constable, who was an eye witness of a brutal assault committed on a poor old man, stood by and laughed, and when called on to assist, sneaked away. A circumstance of that kind would hardly take place if they were properly appointed. Magistrates have the power to fine for dereliction and neglect of duty, but they must have the case proved before them.

Q. 421. Have you an organized police force in any of the towns in your district?—*A.* I am not aware of any; in Exeter I believe there is only a watch; whether there be at Devonport or not, I am not aware, but I believe not.

Q. 422. Do you think it would be desirable there should be an organized force in large towns to be resorted to where it was found necessary in consequence of circumstances requiring it; and, connected with the stations in the large towns, certain stations here and there in the rural districts?—*A.* That is exactly what we want: the simple establishment of a police force in certain large towns in very extensive counties, would not effectually remedy the evil, in consequence of the distance.

Q. 423. You do not think that the presence of an experienced officer trained to the police in a large town in the neighbourhood would be sufficient?—*A.* It would not in the rural districts ever answer the purpose to establish a sufficient police to do all the duties of each parish, for the means would not be sufficient; but if you have a DIRECTIVE force, which could, on any emergency, be summoned by the magistrates, then, I think a great part of the present evils would be counteracted; the parish constables would be stimulated to exertion, and they would be compelled, where they are now indisposed, to do their duty; the magistrate cannot act as magistrate, informer, and constable, and he ought to be better assisted than he is.

Q. 424. Where might they be stationed?—*A.* They might be stationed, according to the population, in one of the leading towns; ours is a rural population almost altogether, very few manufacturers. I am sorry to say, that, though quite a rural, it is not a very moral or correct neighbourhood.

Q. 425. How must they be paid in your opinion?—*A.* From the county rates I conceive, or by a rate on the parish or district for which appointed. Another question is, as the large towns would require more attendance than the rural districts, whether they ought not to pay a larger proportion.

Q. 426. Do you think that this change could be effected without an increased cost, without a greater expense than that at present, or that the sums paid by the counties for constables would be sufficient?—*A.* I think, all circumstances taken into consideration, the actual cost would be considerably less; but it must be recollected that the remuneration now received by constables comes from such very different sources, and is so uncertain, and the charge of detaining prisoners is so much more than necessarily heavy, that, putting these considerations against the superior regulations which would be established under a better disciplined force, I think, that there would be a great diminution of expense.

Q. 427. Do you include the expense paid by individuals at present?—*A.* Yes, certainly; I do not mean to say that the county rates would be diminished, but that the cost of *justice* would be less.

Q. 428. You think it might be done without increasing the county rates?—*A.* I think it

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Richard Shute, Esq.
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might, particularly in those districts where there are no lock-up houses; we are compelled, when committing a prisoner, to send him to an inn or public-house; he is there locked up in a room under great disadvantages, because it is impossible to keep him altogether without communication with the persons whom he ought not to see or hear; and it is very difficult to prevent the publican supplying him with beer or things he ought not to have; and one man frequently requires four or five persons placed as guards upon him: this is a great expense.

Q. 429. That is, during the time he is committed for further examination?—*A.* Yes.

Q. 430. Supposing the result of another examination should be that there is not sufficient evidence to commit him for trial—on whom will the expense of detention at the public-house with the keepers, fall?—*A.* That is frequently a matter of dispute between the prosecutor and the parish: I should say on the parish, for they are bound to have a place of proper security for the prisoners.

Q. 431. What would be your remedy if the parish refused to pay?—*A.* We have such a case in point now; we have summoned a parish three or four times for refusing to pay the expenses.

Q. 432. Do you indict the parish?—*A.* In every former case we have induced them to pay, by threatening them with the consequences of refusal; but I do not doubt that they are bound to pay; I do not say to the full extent of the guardsmen or watchmen, but they are bound certainly to have a place of security.

Q. 433. Can you refer to any law which throws the obligation upon them?—*A.* I cannot at the present moment; but I can negatively prove that it is so. In every case, the Judge at quarter sessions will only allow the expense of bringing prisoners before magistrates.

Q. 434. Does not that show the defect of the law?—*A.* The general impression is, that the parish is bound to do it. I am aware that there is a difficulty; for we have considerable in inducing a parish which is very disorderly, to pay the expenses.

Q. 435. Have you ever succeeded in making the prosecutor pay?—*A.* Yes. I will give a strong case in proof of the absolute inefficiency of the present system, and the necessity for an alteration. Two years since, a prisoner was in custody in a neighbouring parish on a charge of arson—remanded from Saturday till the following Monday for the production of further evidence—and detained, as usual, at a public-house. During the Saturday night a rescue was attempted; and, early on the following morning, I received a note from the prosecutor, (the clergyman of the place,) apprising me of the circumstance, and requesting immediate assistance, "as the village was in rebellion, and his life in danger." Knowing the desperate character of the place, I immediately rode over, having first sent a message to the constables of my own parish, on whom I could rely, desiring them to follow as soon as possible, with what assistance they could procure: this they promptly did. The demonstration thus made restored the peace of the village; and the prisoner was then, by our constables, safely conveyed to gaol, as it appeared that those of the parish were not to be trusted. The constables thus employed have frequently since demanded the repayment of the money actually expended in remunerating their assistants, without requiring any for themselves, which was refused. They are not yet paid, although I have interfered in their behalf; nor does there appear a prospect of it, unless I do so from my own pocket, which would be hard upon me; but it would be more so if men, who, at a moment's warning, left their homes to fulfil a difficult and dangerous duty, were not paid for their services. There is no fund for the purpose, and I am not aware of any other alternative, unless they bring an action against the parish, which *for them* is out of the question.

Q. 436. They conveyed the men to the gaol?—*A.* Yes, they were paid the mileage for that; but they were not satisfied for their time in going over eight miles, and apparently to encounter a very formidable mob; for they are a desperate set of people.

Q. 437. There would have been an advantage, in such a case, in having a regular police formed, whose aid you could have called in?—*A.* Yes; or at all events, in commanding a fund, out of which the men could be paid.

Q. 438. Have you found difficulties in sending prisoners to gaol?—*A.* Yes, we have lost two prisoners. The conveyance to gaol before trial is by a stage-waggon, the owner of which contracts, under a penalty of £20, for the safe conveyance of the prisoners.

Q. 439. Do they go with the contractor, without any constable attending them?—*A.* Yes; we used to allow the constable, who took the prisoner at his own cost, nine-pence a-mile; and I never knew a case of a prisoner escaping, for the constable generally took with him some other efficient person, and, where there was no other means, he handcuffed that man to the prisoner. It will not pay the waggoner for the employment of another person to go with him to secure the prisoner.

Q. 440. Those men who escaped were not all taken at one time?—*A.* No; one girl escaped, I understand, by simply slipping her hand out of the handcuff, and her fellow-prisoners did not interfere to prevent it. Another was a fellow who, on stopping at the station-house where the waggon was put up, was allowed to have one of the handcuffs loosened to eat his supper: he got the other loose and escaped, and has not been heard of since. At any time, a simple scheme would effect the liberation of the prisoners; they have only to cause the upsetting or obstruction of the waggon by any of their comrades on the road, and they may easily do it.

Q. 441. What is the average number committed in your district?—*A.* Ours is a very extensive district; we have four petty sessions; the chief place in the district is South Molton, another at Chumleigh, another at Winkleigh, and another at Witheridge.

Q. 442. What is the distance of those towns from Exeter?—*A.* South Molton is thirty miles; Barnstaple, forty-four miles. The contract extends to Ilfracomb and Coombe Martin, thirteen miles beyond Barnstaple. The only place of trial is Exeter.

Examinations.

No. 5.
Richard Shute, Esq.
20th October 1835.

Q. 443. There are no sessions held except at Exeter?—*A.* No general quarter sessions, excepting for the boroughs.

Q. 444. That must be a great inconvenience in so large a county?—*A.* Yes, and a great expense, which makes justice very expensive to the lower classes of persons.

Q. 445. Have you seen the preliminary Report on the subject of County Rates?—*A.* No, I have not. We have, in common with all the rural districts, suffered from a great nuisance in the number of private and unlicensed beer or cider houses, where every description of abomination is practised, and which our constables take no pains whatever to suppress.

Q. 446. Do you think that, from a want of being secured all the expenses or other causes, there is a deficiency of zeal in acting upon offenders in your county, that the prisoners escape with impunity?—*A.* Yes.

Q. 447. Have you any association for the remuneration of those who apprehend offenders?—*A.* In this neighbourhood we have not. I had a difficulty, a year or two ago, with respect to a constable in whose hands I placed a warrant for immediate execution. The man made great difficulties: at last he said, "Am I to ride twenty miles? the man is gone twenty miles off." I told him yes. The next question was, "Who is to pay me?" It was in a game case, in which there is no provision made for the constable.

Q. 448. There is no provision made, even though a constable may have been days employed?—*A.* No, none at all, particularly if he does not take the man. The parish constable is generally a small farmer, to whom time is money. We rarely can get them to exert themselves, unless where there is a fine; and there the magistrates have the power of awarding a sum to the constables, and we generally do so.

Q. 449. Have you considered the preliminary Report of the Commissioners, or any of the plans which have been suggested, of trying the minor cases at petty sessions or local sessions by a smaller jury than twelve, so as to prevent the necessity of taking such cases to the assizes or the general quarter sessions; and if so, what is your opinion of them?—*A.* The chief objection which occurs to my mind, is with respect to the jury in the small towns, and particularly in the rural districts; the local connexions and associations are so strong, it would be very difficult to get them to administer justice. About three years ago a very worthless fellow went to a beer-house in this parish, but not tipsy—whether he had an animosity to the party or not, I never could fully ascertain; but he told a man who was at work in the room he would shoot him, took from his pockets a poachers' gun in two parts, put it together, placed a cap on the gun, and took a deliberate aim at the man; it however missed fire; he then took out another cap and put it on the gun, and fired again, and shot him dead. The jury were summoned from the neighbourhood, and, in defiance of these facts, returned a verdict of accidental death. The distance must not be small; free and unbiassed justice could not be obtained in small districts, particularly in the agricultural districts, where the people hang more together than they do in the manufacturing. I concur, in a great measure, in the view taken by the Commissioners in their preliminary Report, though the same end may be obtained by a plan proposed some time since, (I believe by Sir Thomas Lethbridge,) empowering magistrates at petty sessions to try petty cases with a jury of five or six. I should never advocate the extension of the summary power of magistrates, but I should say that in every system of this description there must be a sufficient latitude, within which to obtain an indifferent jury: a man must not be tried by his brother-in-law, and so on. There is also a great difficulty in the selection of jurors, even on the spot, from a churlish disposition not to be put out of their way.

Q. 450. Do you think it would be desirable that Government should take upon themselves the expense of prosecutions?—*A.* Of prosecutions generally, certainly not: we have a great many trivial cases now, and we should have, in that case, ten times more.

Q. 451. Do you think it would be desirable that the Government should take upon themselves the expense of the gaols?—*A.* In that case it would be very desirable they should connect with it the erection of lock-up houses. We have no places of security; in fact, a lock-up place connected with the policeman's house would cost less in proportion: if there were such a system established, there might be a lock-up which would set at defiance the efforts of a large body. A common cage, as it is called, is a place of very insecure confinement, for the friends of the prisoner can, at all times, break into it, and can always communicate, and in the night they may cut through the iron bars or pull out the brick work; but such a place attached to a policeman's house would have great security.

Q. 452. What is the extent of your district?—*A.* In our division, which is called the South Melton division, there are four petty sessions; the population is very large, many thousands, certainly.

Q. 453. There would be no difficulty in procuring a proper jury from that division?—*A.* Not at all, nor from the hundred; they might be selected from the hundred.

Q. 454. If you could have a local administration of justice in that division, would it not answer a good purpose?—*A.* I think it would.

Q. 455. Would not that contribute to the better and more economical administration of justice?—*A.* I think it would. The trial might take place very soon after the offence. Where poor-houses are to be erected, suppose the other systems were not established, it would be very easy, and not expensive, to establish a lock-up as connected with them. They ought to have a black hole connected with them, and that might be used for the temporary security of prisoners. There is one great evil in the present system, that where a prisoner is committed to the quarter sessions or the assizes for a petty theft or other trivial case, and is frequently a person of bad character who has had the good fortune to escape detection in more important cases, the magistrate is frequently blamed for sending such a man to the county gaol, but, though taken for one offence, he may have been guilty of hundreds.

Examinations.
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Richard Shute, Esq.
20th October 1835.

Q. 456. Do you conceive the beer-houses have tended to lead to the commission of offences?—*A.* Certainly; the great evil is the permission to drink on the premises; a man will go there with two-pence in his pocket, intending to spend that only; he is induced to go further and often pledges his wages and brings ruin upon his family; without that permission the beer-houses would be a benefit to the labouring classes.

Q. 457. Do you think there is much crime committed in consequence of beer-houses which does not come to prosecution?—*A.* That is my opinion. This takes place generally at night and leads to poaching, and robbing gardens and poultry yards, and so on, which is done almost with impunity, and it is very difficult to induce the farmers to prosecute in such cases.

[*The witness withdrew.—Adjourned.*]

No. 6.

THURSDAY, 12TH NOVEMBER 1835.

Sir *Culling Eardley Smith*, Bart., was called in and examined as follows.

No. 6.
Sir C. E. Smith, Bart.
12th Nov. 1835.

Q. 458. You are an acting magistrate for more than one county?—*A.* I am an acting magistrate for the county of Hertford, for the Soke of Peterborough, for the parts of Lindsey in Lincolnshire, and for the parts of Holland in Lincolnshire. I am also chairman of the board of guardians for the Hertford union.

Q. 459. Has your attention been directed to the subject of the county rate?—*A.* It has been very much so.

Q. 460. Do you consider the present mode of levying and administering that rate as being effectual and satisfactory to the county?—*A.* I think it very ineffectual to the diminution of expenditure, and very unsatisfactory to the rate payers.

Q. 461. What remedy would you propose as furnishing a better mode for the levying and expending of the county rate?—*A.* I should propose to apply the machinery of the new poor law unions to the controlling of the county rate. The manner in which I would propose to do this would be, that each board of guardians, in each county, should have one or more representatives at a central county board; at which central board the magistrates of the county, or a part of them, should have *ex officio* seats. It would be necessary that a representative for each extra-parochial place should, *pro hâc vice*, have a voice at some adjacent board; and similar arrangements must be made in cases where places are attached to unions out of their own county. The management of these arrangements might be left to the Poor Law Commissioners, who might also settle the quota of representatives from the different unions to the central board. The authority, thus erected, should levy and expend the county rate; which, being defrayed by the payers of poor's rates, ought to be controlled by those who represent them.

It may be objected that a more direct and less intricate check might be devised. This is perfectly true; but the proposal of such a plan would be accompanied with much jealousy and irritation, on the part of the magistracy in particular; while that which I have proposed would, I conceive, be less offensive to the existing authorities, and in practice more feasible than a simple system of parochial representation.

A board thus constituted would be capable of exercising any functions which Parliament might see fit to impose upon it. For instance, if, as I hope, the maintenance of gaols will be shortly shifted from the counties to the general government, with a view to their better and more systematic management,—a plan, let me say, most economical to the community, as transportation might thus be dispensed with as a secondary punishment,—in that case, the counties might partly be called upon to pay an effective police, under the control of the county board. The same board would be competent to the management of the turnpike roads, taking the funds of the existing trusts subject to their liabilities. The necessity of centralizing these trusts has long been acknowledged. The board might be empowered either absolutely to undertake new lines of road, imposing new tolls for their maintenance, or to do so subject to the consent of Parliament, who might yearly pass a short Act for the purpose of sanctioning the adoption of such new lines as, being recommended by a county board, should not be successfully appealed against.

Q. 462. Upon what principle does that suggestion proceed?—*A.* Upon the principle that taxation and representation ought to accompany each other.

Q. 463. In what respect is there a failure of that principle now?—*A.* At present those that pay the rates in counties have no legal control over those that administer them. For instance, if a majority of the magistrates think it expedient that a county bridge should be repaired, however much the public may think that the repair of that bridge is unnecessary, there is no legal power to prevent them from doing it. Again, however immoderate the fees and other charges of the clerk of the peace may be, and however much public opinion may condemn those charges, if the majority of the magistrates choose that those charges should be continued, there is no means of preventing it. If the gaols are supplied with provisions and other necessaries at an immoderate rate, or if tenders and contracts are not adopted, (which is the case in many counties,) however much public opinion may be decided upon the question that all those things ought to be done by public tender and contract, if the majority of the magistrates choose that it should be done by private arrangement, there is no power on the part of the rate payers to compel the adoption of a better system. I could go in the same way through the whole details of the county rate.

Examinations.

No. 6.
Sir C. E. Smith, Bart.
12th Nov. 1835.

Q. 464. Do any other instances occur to you, in which the business is managed at sessions by the magistrates without any control being exercised by the county?—*A.* The county of Hertford at this moment pay £25 a-year for a depôt for the militia clothing, and there is abundance of room in the town-hall in which it might be stored without incurring that expense.

Q. 465. Do you think then, as you appear to do, that no other check is possessed except the one afforded by the Act of last session, that the business shall be transacted in open court, and that that is very ineffectual?—*A.* There is no other check, and that I conceive to be very ineffectual. Two years ago a committee of magistrates, of which I was chairman, were appointed by quarter sessions, in Hertfordshire, to investigate the county rate accounts. Mr. Alston, now the Member for the county, and other leading gentlemen in the county, were members of that committee. It took us three long days to go into the details of the expenditure, and to ascertain where reductions might be made. Now I conceive that it is quite impossible in one or two hours, in a public court, that the public can make that detailed inquiry which it took us, with all assistances, three days to make. It is for this reason, therefore, that I conceive that no effectual control over the county rate is afforded by the power which the public now possess of putting questions in the open court.

Q. 466. Did you make any report?—*A.* We did: that report was printed, and I shall be happy to send it to the commissioners.

Q. 467. Did the report pass into the hands of the rate payers?—*A.* It did.

Q. 468. Would it not enable them, upon future occasions, to watch over and check the same items of expenditure?—*A.* I will state the reason why I think it would be ineffectual for that purpose. The committee, amongst other things, recommended that all purchases for the county should be made by tender and contract. That report was presented to the court and approved of; but at this moment there are various articles that are not so obtained by tender and contract. I myself, at the last Michaelmas sessions, proposed as a general rule, that no county expenditure for bridges above £20 should be made without public advertisement for tenders; but I was beaten by a majority of ten to one upon the bench of magistrates. The mere possession by the public of our report, and the information which that report gives, and the recommendations which it contains, are not sufficient effectually to control the expenditure.

Q. 469. Would it not enable the rate payers to inquire at the future sessions whether such tenders had been made as recommended by the committee of magistrates?—*A.* Certainly they can ask the question, but they cannot enforce the adoption of the system.

Q. 470. Would they have any means of preventing the allowance of the expenses where a course contrary to their wishes has been pursued?—*A.* Certainly not.

Q. 471. Where there has been no select vestry in parishes or guardians of the poor, what control have the rate payers had over the poor's rate?—*A.* There were the public vestries.

Q. 472. Could the public vestries adopt any other course than an appeal against the overseers' accounts?—*A.* I am not sure whether under the old system of the poor's rates it was legal for the overseer to expend money against the consent of the vestry; but I am quite sure that, in practice, the whole of the parochial expenditure, in places where there were public vestries, was *passed* by the vestry

Q. 473. Were not the overseers' accounts allowed by a magistrate?—*A.* It was a mere form.

Q. 474. Then was not the only remedy, if they were dissatisfied with those accounts, an appeal to the quarter sessions?—*A.* After the magistrate had passed the accounts, that was the only remedy; but before those accounts came before the magistrate, as the items of expenditure arose, the cases were brought before the vestry. If the vestry chose to sanction them, the expenditure was made, and if they did not choose to sanction them it was not made.

Q. 475. Would there, in such case, ever be an appeal from the overseers' account?—*A.* I believe an appeal to have been very rare upon the ground of the expenditure. I believe that people frequently appealed against the rating, but upon the question of propriety of expenditure, whether A, B, or C should or should not have received relief, I believe it was very rare, and I never knew an instance of the question being raised before the court of quarter sessions. In fact and in practice nothing was passed without the consent of the public. And I may be permitted to say, that, even if it could be shown that the present system of county rate is as good as the old system of poor's rate, the reply would be, that the old system of poor's rate has been altered on the very ground that it was a bad one, and that public opinion was not sufficiently brought to bear upon the administration.

Q. 476. Do you think the magistrates are prepared cheerfully to give up the power of imposing the county rates?—*A.* Since I have mooted this question, which I did at the last quarter sessions in Hertfordshire, I have had an opportunity of conversing with several magistrates whom I know to be most tenacious of their authority. I have not yet conversed with any one magistrate who has absolutely denied the justice of my principle; although I am far from saying that they concur in approving the remedy. And I am disposed to think that, although magistrates would be unwilling to concede the whole of the control to the rate payers, they would not object to a concurrent control on the part of the rate payers with themselves.

Q. 477. What do you consider to be the general feeling of the county with respect to the working of the present system in practice?—*A.* I have been very much in the habit of attending vestries for rural parishes, and I have occasionally done so in towns; and I never yet knew a demand made for a county rate upon a parish, where the payment of it by the parish was not accompanied with some dissatisfaction.

Q. 478. Does that arise from a distrust in the magistracy as unfit persons to impose the rate?—*A.* I would say rather that it arises from this feeling, that the parishes are called upon to pay a sum of money over the expenditure of which they feel that they have no control.

Q. 479. Is the dissatisfaction with the class of persons that impose the rate, or that they do not possess a sufficient check over its application?—*A.* I think they are dissatisfied with the per-

sons who impose the rate, upon the ground that many persons are put into the magistracy by the Lord Lieutenant, who are persons of small property, and therefore have no interest in diminishing the expenditure of the county. I think they are also dissatisfied with the nature of the expenditure, because it often comes to their knowledge that prices have been paid by the magistrates, which, had they had anything to do with it, they would have prevented being paid. I would give an instance. The magistrates for the county of Hertford were, up to a recent period, paying 10*s.* per sack for baking bread for the county gaol. The current price in the town of Hertford is 5*s.* a sack. A remedy is certainly taking place at this moment, but not before the public attention has been turned to the fact, the magistrates having now for the first time issued advertisements for tenders. But the public feel that the remedy has come too late; that those who have suffered such a circumstance to take place, and to go on so long, are not the people to check other abuses.

Q. 480. Do you think it would be sufficient if a county board were invested with power to control the expenditure, leaving the power of imposing the rate where it is,—with the magistrates?—*A.* The idea is quite new to me; but, provided we can control the expenditure, I am not sure that there would be any objection to leave the levying of the rate where it now is.

Q. 481. Do not you think that possibly less jealousy and irritation might be produced by that mode than the other?—*A.* The idea is so new to me that I am scarcely prepared to give an opinion upon that. I have always considered the control of the expenditure and the levying to be twin-brothers that can hardly be separated. I have never adverted to the possibility of their being separated. They are not separated in the case of the poor's rates; and they are not separated in the taxation of the county.

Q. 482. If such a county board as you have proposed were constituted, how would you provide for the control of the judicial expenditure,—the fees of the clerk of the peace, &c.?—*A.* I am not prepared to say exactly in what shape that control should be given; but I am sure that there should be some better control than there is over the fees, and I am disposed to think that, in some way or other, the board, constituted as I have suggested, might exercise some concurrent control over fees.

Q. 483. Would a board so constituted be better, or so well qualified, as the county magistrates?—*A.* I think they would be, for this reason, that they have a direct interest in representing the property of the county, and that the magistrates have not.

Q. 484. But, as regards familiarity with the subject, would such a board be quite competent?—*A.* I am not prepared to say that the whole members of any given board of guardians would be competent; but I have no doubt that the persons who would be deputed from each board of guardians would be as competent as the present magistrates, if that jurisdiction were given to them.

Q. 485. Laying the plan of a county board out of the question, and supposing the clerk of the peace to remain as he is, do you think it would be desirable that he should be paid by a salary instead of fees?—*A.* I think it would be desirable if it could be effected; but I am afraid that the clerks of the peace would consider themselves to have a vested interest in the present system, and would refuse to concur in it.

Q. 486. Would you prefer that the Government should take upon itself the expense of the gaols and leave to the county the expense of the prosecutions?—*A.* Certainly. I question whether Government have not encouraged unnecessary prosecutions, by charging half of the amount on the county at large, without providing any control over the expense.

Q. 487. Do you mean, however, that the Government should take upon itself the erecting of any new gaols that may be required, or only the keeping up of the present gaols?—*A.* I think that, where the present gaols are insufficient, it might reasonably be made a charge upon the local rates to build new ones, and I see the less objection to it, because my opinion is, that the county gaols throughout the country are, generally speaking, sufficient for their purpose. They may, and undoubtedly do, require alteration in their internal arrangements, but I consider that there is space enough for the imprisonment of prisoners in the county gaols already existing.

Q. 488. Under the new system of enforcing silence, are they sufficiently large?—*A.* I think they are so, taking into account that the magistrates, in the exercise of the powers given to them, have, in my opinion, built a number of gaols quite unnecessary under the old system.

Q. 489. Have you considered any plan for the establishment of a more efficient and permanent regular police for the country, either in lieu of the present constabulary force, or engrafted upon it?—*A.* The plan which I should propose for a new system of police would not be engrafted upon the present constabulary system, which I consider to be unsound. I should propose a central police for each county. I will state why I consider the present system of police to be unsound. The present parochial police consists of a constable in each parish, who is annually elected; who, as soon as he knows his business, is liable to be removed, and frequently is removed; who is in a situation of equality and fellowship with most of the residents in the same parish, and who, therefore, when called upon to assist in the administration of justice, has very often to make his choice between violating his duty as a constable, and forfeiting the regard and affection of his neighbours. I cannot give a stronger instance of it than the inefficiency of the present constabulary force as to checking the abuses of the beer-shops. It is clearly the duty of the parish constable to prevent rioting in beer-shops, and to prevent those places being open after a stated hour; but the practice in nine parishes out of ten will be found to be, that he is on those terms of intimacy with the keeper of the beer-shop that he is afraid to exercise the authority vested in him.

Q. 490. What would you propose as a substitute?—*A.* The plan which I would substitute depends upon the adoption of my plan for a central county board. I could not propose the imposition of a new charge upon the county, if that charge were to be solely controlled by

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the present irresponsible magistracy. If a partially popular county board were to be formed, I would give to that board the power of establishing a police.

Q. 491. Of what would it consist?—*A.* It would consist of a policeman for every one or two parishes, depending upon the extent of those parishes. At the head of that police should be a chief constable. If, in addition to the chief constable, there could be a stipendiary magistrate, paid out of the same fund, or if the chief constable could be a stipendiary magistrate, I consider that we should then have an effective system of provincial police. If the chief constable were to be a magistrate it would be necessary to have more than one chief constable for each county. If he were not to be a magistrate, one person would be sufficient to direct the acts of the constabulary force.

Q. 492. Is the expense falling upon the county by the present constabulary force considerable?—*A.* Looking upon the poor's rate payers and the county rate payers as identical, the expense falling upon them is very considerable. There is, first, the salary to the constable in each parish; there is the constable's bill at the end of the year, paid by the parish; there are the chief constables and special constables upon all occasions when disturbance can be expected, as, for instance, at the assizes, at the sessions, and at the elections; besides which a very considerable part of the expense of the commitments to prison are made up of the expenses of constables. Of course, if each county had a regular constabulary force, that constabulary force would deal with each case as it arose, and there would be no additional expense for committals.

Q. 493. Would there be a great increase of expense?—*A.* I do not think there would be any great increase of expense, taking into consideration what has been hitherto charged upon the rate payers. But, besides what has hitherto been paid by the rate payers, very great expenses fall upon individuals who may happen to have a case before the magistrate, which, if there were a good system of police, would cease altogether. The allowances now made for the expenses of constables by no means cover the expenses to be defrayed, and the residue must be paid by individuals. Those individuals are the rate payers; and those individuals, as a body, would be extremely glad to have a new system adopted which would prevent their incurring that expense.

Q. 494. Is not that circumstance, that the actual expenses are generally more than the allowed expenses, applicable to prosecutions at the sessions and assizes?—*A.* It is; the allowances made by the public for the expenses of prosecutions are very often not equal to the amount defrayed by the individual out of his own pocket.

Q. 495. Are they not frequently paid, not by an individual, but by associations?—*A.* Yes.

Q. 496. Do you think that, in the case of the establishment of a permanent force, such expenses will be saved?—Certainly they will.

Q. 497. You stated that there should be one policeman for every one or two parishes; have you any reason from anything within your own knowledge and experience to think that force would be adequate?—*A.* My reason for thinking so is this. Myself and two other gentlemen, in the parish of Essendon, in Hertfordshire, became members of the Barnet Association, upon condition that a constable should be located in our parish; and it is found, in practice, that that constable not only effectually patrols the parish of Essendon, but, in all cases where a felony has been committed in the neighbouring parishes, that constable has done the greater part of the business.

Q. 498. Is that policeman in addition to the parochial constabulary force?—*A.* Certainly; we have our usual constable besides. This man does not serve the parish, he is merely placed there at our request, as subscribers to the association, eight miles off, and this policeman frequently acts with the parochial constables, and is of material assistance to them by directing their proceedings.

Q. 499. Do not you think that a superintendent over the proceedings of the constabulary force, and engrafted upon it, might answer the purpose?—*A.* I do not think it would do so; for this reason, that, although the present parochial constables are more efficient when controlled by such a person as this policeman, there still would remain behind the evils incident to their character, namely, that they are frequently brought into collision with their neighbours.

Q. 500. Do you consider that whatever force there is should consist of strangers?—*A.* It should consist of strangers in this sense, that they should have but one interest, namely, in serving those by whom they are paid.

Q. 501. If they have been born and brought up in the place, will not the evils still arise?—I think not necessarily. It is true that one part of the evil of the present system is, that the constables are on terms of intimacy; but the far greater evil is, that they depend for their bread upon their neighbours, and if they give offence to them they will be deprived of their subsistence. Now, under the proposed system, they would be rendered independent. I conceive, too, that in practice the difficulty of the local connexions of the constables would not arise, as they would frequently be transferred from one place to another.

Q. 502. Do you know anything of the working of the association you have mentioned, as it applies to Barnet?—*A.* I do not. I have heard that a great many vagabonds are driven away from Barnet into the neighbouring parishes, and that the neighbouring parishes have suffered in consequence.

Q. 503. Have you anything else to mention with respect to the police?—*A.* A circumstance occurred at Hertford, at the last sessions, which proves how little check is kept over the expense of the special constables at sessions and assizes. It appeared that a person, who was receiving either fees or a salary as crier of the court, was in the actual receipt of so much per day as a special constable besides; which duty it was physically impossible he could adequately perform while he was crier. It appeared that this had been going on for many years without the magis-

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trates being aware of it, and when the inquiry was made by whose authority he was paid as a constable, it appeared that he was paid by the treasurer, who had no authority for doing so, except that he believed it had always been done. I am sure it was done with the best possible intentions. Another circumstance I would wish to mention is, that the expenses for the special constables at elections for boroughs within the county have been hitherto defrayed out of the county rate; so that the preservation of the peace of the boroughs has fallen upon the rate payers of the county, which I consider to be quite contrary to justice.

Q. 504. Have you any suggestion to make with respect to any other officers of the county?—*A.* I would suggest that the head of the constabulary force, if he were a magistrate, might be also the coroner, or, at least, might discharge the functions of that officer. The coroner, if that office is to continue to exist, ought not to be paid by fees; which often operate as a direct bonus or encouragement to him to intrude unnecessarily upon the privacy of families, members of which have lately died. With respect to the treasurer, I would suggest, from my own experience of the treasurers of the boards of guardians, that the mere holding of the balances, which must always necessarily exist, would be a sufficient remuneration for that office; and that the expense of the salary might be entirely done away with. If the functions of the treasurer were made merely ministerial, there is no reason why bankers should not answer the purpose of county treasurers, and they would be very willing to receive and pay the moneys without making any charge for it.

Q. 505. Do you regard the chief constable as at all a necessary or useful officer?—*A.* I think not at all; the chief constables are chiefly employed for the transmission of notices to pay the county rate, which notices had much better be sent by the post. Under the head of debt, I would wish to state that, as far as my experience goes, the rate of interest paid by counties upon their debts has always been the highest current rate in the country. For instance, up to a few months ago, when the debt of the county of Hertford was discharged, we were paying five per cent. per annum, when it was very easy to obtain loans upon good security at four per cent. With respect to lunatic asylums, I would suggest that, instead of imposing upon the county the expense of lunatic asylums, the county should be charged only with the expense of the individual cases.

Q. 506. Have you anything to suggest with regard to the treatment of lunatics affecting their location?—*A.* I think that all lunatics require to be placed under the management of persons who have been used to that sort of employment. I think that not only the keeper should be a person used to lunatics, but that they should be under the care of a medical man who has paid particular attention to the subject; and that is one reason, among many, why I think they could not be properly managed in parishes or in united districts.

Q. 507. Do you think the number of lunatics in the county is often such as to require an asylum?—*A.* I have not sufficient experience to be able to say that. Taking the average of the counties in England, I do not think there is a sufficient number of lunatics in each county to make it worth while to maintain an asylum for each county. If lunatics were placed in private asylums by the county, there would be a greater probability of their being properly managed than if they were placed there by parishes. Parishes would have less means of ascertaining and controlling the way in which they were managed than a county board would have. But, with respect to lunatic asylums, I would beg leave to suggest a mode in which their management might be very much improved. At present it rests entirely in the breasts of the magistrates whether they shall or shall not license a certain asylum; and I would suggest that it should be made incumbent on the magistrates to require sufficient certificates of the competency of the person to keep it, and that they should only grant the licence upon a view of such certificates.

Q. 508. Have you any suggestion to make with respect to the militia?—*A.* Perhaps under the head of militia I may be permitted to refer to an analogous force, namely, the yeomanry. Having commanded myself a troop of yeomanry, my evidence upon the subject may be considered impartial. I consider the yeomanry to be a useful force to the country, so long as there is no system of effective police; but, if there were a system of effective police, I think the expense incurred by the country for yeomanry would be entirely unnecessary.

Q. 509. Is there any expense falling now upon the county for militia?—*A.* None, except for the depôt which I have already mentioned.

Q. 510. Anything regarding roads and bridges?—*A.* With reference to the charge upon counties for the maintenance of roads at the foot of bridges, I would repeat my suggestion, that all the turnpike roads, together with all parish roads leading direct from town to town, and all bridges, might be more efficiently managed by being placed under the control of a central board. I conceive that one board would be sufficient for all the roads in the county, which might have one treasurer, one surveyor, and one clerk; instead of which, at present, there is a separate machinery for every seven or eight miles of road.

Q. 511. Any other head of expenditure?—*A.* With regard to the expense of making Parliamentary returns, it appears to me clearly equitable that returns required for the country at large ought to be paid for by the Treasury; but, in Hertfordshire, we have been in the habit of paying for them out of the county rates.

With respect to vagrants, I believe it is at present in the breasts of the magistrates whether they shall contract for the removal of vagrants or not; and I think it ought to be made compulsory upon the quarter sessions, or some other authority, to contract at so much per head. There is an item in our county rate, the expenditure of which appears to me a very unjust one, viz., the contribution of our county rate to two or three prisons in London. I believe it to be the remnant of an old custom.

[*The witness withdrew.—Adjourned.*]

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Thomas Dimsdale, Esq., was called in, and examined as follows:—

Q. 512. You are the secretary of the Barnet General Association for the protection of persons and property?—*A.* I am.

Q. 513. When was that association established?—*A.* In 1813.

Q. 514. What is your present establishment?—*A.* Six patrols and a superintendent.

Q. 515. How are they paid?—*A.* The men have £1 a-week each, and the superintendents 25*s.*, all from voluntary funds, from an annual subscription.

Q. 516. To how many parishes does this association extend?—*A.* To eight entire parishes, and five partially. We go into several parishes to form as nearly as we can a circle, that the men may not have unnecessary ground to go over.

Q. 517. After a trial of 22 years, can you speak decidedly to its success?—*A.* I can speak of its success most completely. It has fully answered its end; so much so that the subscription increases every year, and there are not now many persons above the rank of yeomen, who are not members of it in that extensive circle.

Q. 518. Has it come to your knowledge that other places are desirous of being admitted into the association?—*A.* Yes; Essenden, about seven miles from us has been admitted; and from Watford and from Bayford, we have had applications to show them how to form similar associations. Bayford wished us to take them in; but I prefer that they should form a separate association if they can.

Q. 519. Has it had the effect of dispensing with the services of the parochial constables in the parishes to which it extends?—*A.* The parish constables are almost entirely dispensed with: but they are worse than useless. Few men undertake the office of parish constable but those who are unfit for it, and they just get the parish summonses to serve, and things of that sort.

Q. 520. Is that your deliberate opinion of the ordinary constabulary force?—*A.* It is. The constabulary force has existed, with various trifling improvements, I believe, since the days of Alfred; and look at the officers of those days, and the constable of our day, and ask if they are at all the same? One was the Borsholder or Tything man, next in authority to the sheriff; the other is,—what needs no description. Again the great end of police is to prevent crime; whoever heard of this being the object of the present force? To receive a charge, convey a culprit to prison, or see to the execution of a process or a sentence, are the only objects to which this force is ever applied. Volumes might be written to prove the inefficiency of the force, and yet not the half be told, because what is wrong is so carefully concealed, and the parties committing the wrong are the only persons who know it; thus almost all that is known of the errors of this defective force is discovered by accident. Having attended the parish vestries for the last 20 years, I see the constables' bills come in, and in my own parish the vestry invariably cut them down almost to nothing; but in an adjoining parish they have been paying a man by the vestry, without knowing that he has been paid by the county; so that he has sometimes been getting altogether about 16*s.* a-day for attending the county court, &c.

Q. 521. Is it a prevalent and existing evil in the case of the parish constables, that they obtain pay both from the parish and the county?—*A.* They often try to do it, and they have succeeded in many instances. There has been a very strong case discovered lately in the same neighbourhood.

Q. 522. With respect to the expense, is the more efficient police afforded by the association attended with greater expense than the parish constables?—*A.* Decidedly more than the parish constabulary, because the parish constabulary is no force at all. The association men patrol all night long, like the London police.

Q. 523. Can you state the comparative expense of the two?—*A.* I cannot form a comparative scale of expense; but I think I could easily show that the county rate might be saved in many instances.

Q. 524. In what respects, so far as the police is concerned?—*A.* In the first place, it is the interest of our men to get dismissed from courts of assize or sessions where prisoners are tried, as soon as they can. One superintendent always goes with the men, and he is anxious to get his bill of indictment forward as soon as he can, that he may get off; but the parish constable does not care if he is kept the whole time of the court's sitting, however many days that may be. If a case of ours goes to London, it is generally heard the second or third day, but the parish constables never get a bill in within less than five or six days. Our expenses on prosecutions have diminished to little or nothing.

Q. 525. Are there any other items of saving you can particularize?—*A.* I think IF the thing was worthy to be discussed in connection with the saving, a great saving might be made by a regular line of communication through the kingdom, by employing as a day police, persons employed in other public works. In order to be perfectly efficient, there should be a complete line of communication through the kingdom, and I know that many of the trustees of the roads would be glad to employ labourers who could work as a day police upon the roads. The labourers upon the roads get but 12*s.* a-week, and if any Board were to say to us, "Pick out men of character sufficient for a day police force, and give them 2*s.* a-week more, and let them employ their leisure time upon the road," the farmers would be delighted with it, for they are at this moment proposing to me an acre rent of so much a-day to pay for the protection of a day police. They say, "Sir, if you could give us a day police, we would pay you an acreage."

Q. 526. Are there any depredations committed upon the direct line of road?—*A.* Almost

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every thing stolen goes along the direct line of road or crosses it in higglers' carts, or hay carts, or waggons. We had a circumstance happen a very little time since of an extraordinary nature. A nightly watch was established upon the estate of the late Mr. Kemble, at Gubbins, about five miles from Barnet, almost at the extremity of our line, and the watchman one night heard two men just on the other side of the Park-palings talking; he drew near and listened to what they were saying; he caught the words, "We are either too late, or else the things are very backward up;" by which he understood that the carts coming up from the country were either too late, or else *they* were too late. Presently a cart came up; the men said, "We want to send a basket to London."—"What," said he, "*upon the cross?*" (which is a slang term) "I cannot take it; they are so d——d sharp at Barnet, they will not let any thing go through, and I cannot go the cross-road to-night."

In our Minute-book is this entry: "We this night stopped a waggon, and seeing three baskets loosely placed at the tail of the waggon, asked the driver what they contained; he said he believed butter. Upon opening, however, they were found to contain six dozen of live pigeons. Of these we took possession, and sent a man on with the waggoner to London to where the baskets were directed.

"The salesman gave us every assistance to find out the thieves, but they never appeared to claim the birds. After keeping them some time, I tied a card to the legs of four of the strongest birds severally, saying, that any person who had been robbed should apply to me. This brought information that two dove-houses had been robbed in the county of Huntingdon, and that, hearing of the detention of the baskets, it was supposed the thieves had left the neighbourhood, for three suspicious characters had left about that time."

I always send two men upon the cross-roads; it is not safe for one man. On moonlight mornings, or when there is anything up the roads that bespeaks a necessity for it, I send two men upon a cross-road beat. Sometimes we succeed, and sometimes we do not; but the success of our measures has been very complete indeed, having actually prevented a good deal of evil that we had not contemplated.

At elections they have been found peculiarly effective. They are free from the bias, and the suspicion of the bias, of party men.

Q. 527. Is your association not only an association for the prevention of crime, but also for its prosecution?—*A.* It is; and in ninety-nine times out of a hundred, we find the county allowance abundant for the purposes of prosecution.

Q. 528. Do you find the system of police which you have substituted for what you consider the very defective force legally subsisting, effectual for the first object it has in view, the prevention of crime?—*A.* We do.

Q. 529. Do you think it useful for the second, namely, the prosecution of offenders?—*A.* Undoubtedly; it is done at much less expense; all the minor offences are attended with very little expense. Last year the whole legal expense was £1. 15*s.* The county allowance is generally sufficient; and one man knowing the ways of the court, takes the witnesses up, and directs them to houses where they can be entertained at little expense: there is no plunder of any sort. When there are three witnesses to go to London, we take a horse and cart and they go all together, and by that means there is fifty per cent. saved in their carriage.

Q. 530. When your men go to London, do not they get double pay, by getting a pound a-week from you, and the county allowance also?—*A.* Yes, they do.

Q. 531. Have offences diminished very much in your district?—*A.* Very much indeed.

Q. 532. Would it not be desirable if the witnesses in such cases, instead of being sent up to town under the care of a police officer of the district, should be sent from hand to hand along a connected line of force, so as to avoid taking the men from their duty?—*A.* Certainly.

Q. 533. Can you form any estimate of the expense of a general police force of this description as compared with the present parish constabulary force?—*A.* I think it might be established at nearly the same expense. There are also several funds that might be brought to the relief of the county rate. 1st. The magistrates' clerks had much better be paid by a salary; and I think it would be desirable to make a fee fund, and let them be paid out of it. There is another source of revenue that might be thrown into the county rate—the various fines which under the old statutes were payable to the county rate, and which very seldom find their way into the county treasury.

Q. 534. By whom are they retained *in transitu?*—*A.* They are frittered away in expenses, or perhaps in many cases remitted, and the fines also, to the king, the poor, the turnpike roads, &c. &c. Nobody would feel the pressure, if all those penalties were paid into one fund for the benefit of the county rates. They amount to nothing as they now are, and they would then produce a very large sum.

Q. 535. You suggest these as materials to assist in forming a fund to bear the expense of such a police force?—*A.* Yes. I do not mean to imply that there is great blame as to the transmission of fines—a censure I would not convey—but that simply from defects in the system, these fines do not answer the ends for which they are levied, and therefore might be much better collected and appropriated.

Q. 536. In your neighbourhood do you think the general feeling is in favour of the establishment of such a regular police?—*A.* Decidedly: they were formerly very much averse to it, but Mr. Byng and many other gentlemen bore the greater part of the expense of it for a few years, and now, at last, everybody has come into it. The last great increase was at the time of the incendiarism.

Q. 537. If a force of this description were established in every district throughout the country, might the men be easily put in connexion with each other?—*A.* It would be very easy, upon the same plan as we practise with the Essenden men. The policemen exchange a pass at a certain hour of the night; they say, "All is well in my district," or, "I want

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aid." The other night it happened that three of our men did not come home, and I found that the reason was that the Essenden man wanted aid; there was a large party of poachers out, and when they saw three of our men there, they did nothing.

Q. 538. What is the extent of your district?—*A.* About 90 square miles.

Q. 539. Can you state about what amount of force is requisite for any given district?—*A.* I have made a slight estimate of what one policeman can do. I think one policeman to about 1,000 population, or to about ten square miles would be sufficient in a rural neighbourhood. An extension of the plan is called for. A day police is wanted as well as a night police. Some have had communications with Sir James M'Adam, the surveyor-general of the roads, and he said he should be quite willing to put the kind of men we want upon all the roads, and if they had 2*s.* a-week more they would act as a police force.

Further, I am sorry to say that I think we want a stipendiary magistracy very badly. It is so difficult to find gentlemen at home; and in many cases if the persons robbed are not in our association, the thieves are let go. With respect to offences on the road, such as drivers sleeping on their carts and riding, not driving, they are almost always let go; but if there were a day police, they would inform against them, and the fines would go to the police rate. I think the whole should be put together in one fund for this purpose. I would observe also, that it is very desirable to have a prison or a cage in every parish, or at least every large town; it would be a great saving to the county.

Q. 540. Supposing the present system of the parish constabulary force were done away with, what, speaking more precisely and pointedly, would you propose to substitute?—*A.* I think I could fearlessly propose in the first instance an extension of the police of London modified to suit the existing circumstances of the country. The parochial constabulary force is altogether useless, and worse than useless, because it incurs an expense that is by no means warranted by the benefit; therefore, I would say, let the parish pay as a constabulary rate, what their constables' bills usually now amount to. Then, of all the fines under the several penal statutes, of which half go to the informer, the other half should be thrown into the same fund; they would be much more readily collected. So, of the whole pecuniary penalties which are inflicted for crime, it would be necessary to collect from many statutes, and see which of them could be appropriated with advantage to the proposed improvement.

Q. 541. What amount of force would you propose to have?—*A.* I should say one man to 1,000 population, or one man to ten square miles of rural population.

Q. 542. What officer should be at the head of the force?—*A.* There should be a stipendiary magistrate who should go round and visit the district, either on horse or in a carriage, and let the unpaid magistracy meet him to form a bench upon occasions where two magistrates are required.

Q. 543. Would they act concurrently with a stipendiary magistrate?—*A.* I think they would be very glad to act with him and assist him.

Q. 544. Would not his appointment be a heavy additional expense?—*A.* I cannot work it out as a matter of figures till it gets *more into detail;* but I think it might be demonstrated that it would not. The county rates are now, in Middlesex, an enormous sum of money. It amounts to 6*d.* in the pound in our neighbourhood. Now I am quite certain that a two-penny rate throughout the kingdom would do it.

Q. 545. Would it not tend to diminish the expenses of the gaols very considerably?—*A.* Immensely; and having in each village or town a place of security, the expense of the Gaols would be diminished thereby, and the improvement of the morals of the criminals would be much greater by being kept apart from one another. When we had a prison at Barnet we could keep them there for a week during an investigation, but now we are obliged to keep a man under charge committed for further examination at St. Alban's or Hertford, and to send him backward and forward every time for re-examination.

Q. 546. Do you think it might not answer the purpose to put a superintendent over the present parish constables?—*A.* Certainly not; they are too bad to be used at all. They have their local acquaintances and their attachments; they can hardly be expected to serve a summons upon a neighbour or a friend. They sometimes wink at crime instead of doing anything to prevent it.

Q. 547. From what class of persons would you select the policemen?—*A.* They must have a degree of education that would qualify them for it; they should all be able to read and write. Old soldiers are the best men for it, they are used to obey, and for that reason I would not make the rule, with respect to age, which is made in the metropolis. I have known a young man break down under our work.

Q. 548. Does not your district of Barnet contain as many cross-roads and bye-roads as any in the kingdom?—*A.* It does. The number of carts that go across those roads of a night is now very great; and, in addition to our usefulness in deterring offenders, I think I can show that the number of persons that, through increased vigilance, have been *convicted* at our sessions has been very large indeed. There have been 55 persons convicted in some way connected with horse-stealing, (though but six for offences upon members of our own association,) for when they are coming through in the night, we are in the habit of challenging them, saying, "Who are you—why do you come at this time of night—are you known to any body?" And if there is any thing suspicious we detain them, and a great deal of good has resulted from it.

Q. 549. In those cases do you conduct the prosecutions?—*A.* We have done so; and we have been compelled, in consequence, to go down to the places from which they came, and we have then lost the services of the men during the time, but the public have been greatly benefited by it.

Q. 550. You speak of levying a new rate. Do you contemplate the abolition of the present county rate? *A.* I do; that it should be entirely remodelled.

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Thos. Dimsdale, Esq.

Q. 551. Would you throw the expense of the constabulary force upon the parish rate?—*A.* I would throw it upon the parish rate, or upon a special rate for the purpose.

Q. 552. Would you throw bridges, and things of that sort upon the parishes, or upon the trusts of the roads; or how provide for them in such case? *A.* This I have not duly considered, but the plan that is suggested of making the labourers upon the roads a day police would be very useful, and they might live upon the roads as the Bow Street horse police do. These have a plate over their door, with "Horse Police" on it. I would attempt to do the same thing with our day police.

An Extract was read from the Evidence of Sir Culling Eardley Smith.

Q. 553. Do you agree in the representation given by Sir Culling Smith of the conduct of the parish constables as to beer shops?—*A.* I do; in fact the parish constable is often one of the best customers of the beer shop.

Q. 554. What has been the operation of your voluntary police at Barnet, in respect to keeping the peace in beer shops?—*A.* That question is a very important one. When the association commenced in Barnet, there was an unfair proportion of public houses; there were 27 in that small town, and of course many of them did not live honestly: they were most irregular. In the first or second year the Committee's attention was directed to correcting this evil, and we went into it very minutely, classifying the houses in this way—the houses that were wanted, and those that appeared useless; the first class, including such as waggon houses, posting houses, and those that supplied families with beer, and the useless houses that we could not tell how they lived. Our men were directed to take particular notice how those people conducted themselves. Some of them stuck up "Board and Lodging for Travellers," or else they pretended to go to London with carts. In the course of a little while those persons found that their licences were not worth having, they were so well looked after, and they by degrees shifted to a better class of men; thus the evil became so much lessened that at the time of the beer shops opening, you might have matched Barnet against any place in the kingdom for regularity. After the Beer Shop Act was passed, eleven more started, and to this hour they are our bane. We have to watch those houses almost all the night long, for so tender and so morbid have become the feelings of the Legislature, that they will not allow us to exercise a just espionage over them. The man says to us, "These are my lodgers;" there are six or seven fellows drinking and getting drunk, and he calls them his lodgers: he shuts his door at 10 o'clock, and those whom he calls his lodgers are singing and roaring inside. Almost all the mischief that is concocted in the neighbourhood begins there; they put a beer shop at a point where there is no pretence for it, where there is no traffic.

Q. 555. Then the beer shops seem beyond the control of even your amended police. Are they beyond your management?—*A.* They are beyond anything; they are altogether bad.

Q. 556. Do you consider them nurseries for crime?—*A.* Yes; to a great extent. If a beer shop was a place for selling beer to be drunk at the poor man's house it might be useful; but to be drunk on the premises, is literally to be drunk on the premises, for when once the men get there, they rarely go away without being drunk.

Q. 557. Are they not compelled to close at a certain hour?—*A.* Yes; but they often close with the men inside, and when our men go, they answer us from an upstairs window, that the men who are roaring and singing inside are their lodgers.

A further Extract was read from the Evidence of Sir Culling Eardley Smith.

Q. 558. Do you approve of the suggestion of Sir Culling Smith with respect to a chief constable?—*A.* I do not see any objection to the stipendiary magistrate being a chief constable.

Q. 559. The plan of Sir Culling Smith proposes a Police Board for each county; do you think that is necessary?—*A.* If it was subjected to a general Central Board.

Q. 560. Do you think it might be done in this way, by placing a town, with a certain district round, under a constable of police, and that he again, along with the constable of other districts, should be under some principal board?—*A.* Yes.

Q. 561. Without reference to divisions of counties?—Yes.

Q. 562. Do you agree in the opinion of Sir Culling Smith that the public in general would be glad to see a police of this description established?—*A.* Certainly; I have no doubt of it, if it were publicly made known in the way in which it is stated in the evidence of Sir Culling Smith; I am sure that the most ignorant persons would be convinced of it, so much so, that our farmers have even begun to say, that their very hedge stakes would be protected by a day police. They find that they are safe at night, and they wish to have the same protection by day. I would observe that one excellence of our force is, that I move the officers about from one part to another. A married man is more difficult to move; but I do move them all. The moving them about, is like moving a regiment about; it is essentially beneficial to them.

Q. 563. Having heard the evidence of Sir Culling Smith upon this point, do you concur in it?—*A.* I entirely concur with him.

Q. 564. Is there any addition you would wish to make to it?—*A.* There are some points that might be carried out further. I think a stipendiary magistrate might embrace the offices of magistrate and of superintendent of the police. He might be always to be found at a given place upon a certain day. There is great injury to the cause of justice, and great expense occasioned by not being able to find a magistrate immediately.

Q. 565. Do you think the appointment of a stipendiary magistracy essential to the formation of a general police?—*A.* It would not be so efficient without it.

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Thos. Dimsdale, Esq.

Q. 566. Have you not, in fact, established it at Barnet with advantage, without a stipendiary magistrate?—*A.* We have done so; but we feel the want of a stipendiary magistrate very much.

Q. 567. But supposing it were found to be attended with too great expense, you do not think the plan of a regular permanent police need therefore be abandoned, but that it might still be established under proper superintendence?—*A.* Yes.

Q. 568. Have you any cogent reason to believe that the establishment of a general police would be well received in the country?—*A.* I believe it would be very popular; our association is so; neighbouring places seek to be admitted into it, and it is taken as a model by others. Only last week I had several farmers wait upon me, offering to pay what they called an acreage, for the purpose of having a day police established.

Q. 569. Is it the case (as Sir Culling Smith says he is told,) that the rogues are driven from Barnet into the neighbouring districts?—*A.* It is.

Q. 570. Can you furnish the Commissioners with a statement of what is paid to the constables by the parishes in your district?—*A.* I can furnish a statement of what is paid in most of the parishes within our association.

Q. 571. Is it not the natural effect of the activity of your association to diminish the amount now paid for the parish constables?—*A.* Very materially; but it is still a serious sum of money, because they claim as their prescriptive right, the serving of summonses for poor's rate and church rate, and so on.

Q. 572. Is that a duty which you would throw upon the new police?—*A.* Yes; the more they are employed, the better servants they are. They should do all the parish business; I do not want them to have any vacant time, except for necessary rest: of course it would all be in the neighbourhood of the town, and they would have nothing to do but to walk about the town in doing it.

[*The witness withdrew.—Adjourned.*]

No. 8.

TUESDAY, 2d JUNE 1835.

Richard Spooner, Esq., was called in, and examined as follows:—

No. 8.
Rich. Spooner, Esq.
2d June 1835.

Q. 573. You are a magistrate, I believe, in Warwickshire?—*A.* Yes.

Q. 574. And in some other county?—*A.* Warwickshire, Worcestershire, and Staffordshire.

Q. 575. Has your attention been called to subjects connected with the expenditure of county rates?—*A.* A good deal in Worcestershire.

Q. 576. Are you aware what is at present the amount of the expenditure of the county rate in Warwickshire?—*A.* It is about £20,000 a-year.

Q. 577. Have you any idea how much it amounts to per acre on the land charged?—*A.* I cannot say, because I do not know how many acres the county consists of; but it is under 1*s.* per acre considerably.

Q. 578. Do you know how much it is in the pound?—*A.* A penny in the pound on two-thirds rack rent raises £5,000, and they have four of these in a-year; therefore, it would be upwards of 3*d.* in the pound.

Q. 579. Do you think that the valuation is a fair and equal valuation?—*A.* It has been in existence some time. I should doubt whether it is very correct.

Q. 580. When was it made?—*A.* I cannot recollect now when it was made, but it was some years since.

Q. 581. Would it be desirable to make a new valuation?—*A.* I doubt whether it would or not; whether it would answer the expense of making it.

Q. 582. Is that because you consider the inequality not to be great?—*A.* Not sufficiently to make a new valuation necessary.

Q. 583. Are you aware that a new valuation of the West Riding of York has been lately effected at an expense of about £700?—*A.* I was not aware of the fact; but I was aware of the power the magistrates have to make it at petty sessions. This plan has lately been adopted in Worcestershire. I do not think that the rate so made is an equal rate. I think there are many objections to that rate.

Q. 584. Was that proceeding under the Act of Parliament; and have you seen the plan that was proposed to a committee of the House of Commons, differing little from the scheme adopted in Lancashire and Yorkshire?—*A.* They have merely acted under the Act, which gives some power, in consequence of which they have had greater trouble.

Q. 585. Do you think that Birmingham contributes its fair proportion to the county rate?—*A.* Birmingham contributes one-fifth of the whole.

Q. 586. Do you think that that is the proportion it ought to contribute?—*A.* I do not know that I have any ground to form that opinion on. I have not heard it objected to.

Q. 587. What prosecutions do they send to the assizes?—*A.* I cannot tell you without reference; it is all kept separate. I should think Birmingham contributes a great deal more than sufficient to cover its own expenses; it contributes one-fifth.

Q. 588. Do not you suppose there are three-fourths of the prosecutions come from there?—*A.* No.

Q. 589. Is there not an immense number of Birmingham cases in the Warwickshire calendar every gaol delivery?—*A.* Yes.

Q. 590. Has the charge on the county rate been a rapidly increasing charge in that county?—*A.* It has been decreasing in Warwickshire and Worcestershire.

Q. 591. Since when?—*A.* Within the last three years.

Q. 592. Has the change for prosecutions been increasing?—*A.* I cannot say it has been; it will probably appear by the return. It has been decreasing, no doubt.

Q. 593. Is there anything relating to the expenditure, more particularly with regard to prosecutions, which requires reform or alteration?—*A.* Yes; with regard to the property that contributes to it; there are a great many burthens thrown on the land which the land ought certainly not to bear.

Q. 594. You think the land ought not to be charged exclusively?—*A.* I do, certainly; I think personal property ought to contribute, because personal property is a source that leads to a great proportion of the prosecutions.

Q. 595. In what way would you propose to make personal property contribute?—*A.* There can be no other way but to pay it out of the exchequer.

Q. 596. Do you mean the general revenue of the country should contribute to the prosecutions, or to any other charges which are now thrown on the county rate?—*A.* Almost all charges: I do not know any charges that it should not contribute to.

Q. 597. You would not include bridges?—*A.* Undoubtedly I would. I say that it should contribute to that part of the expenditure more than to any other part, because the land alone contributes to the maintenance of all public roads by statute labour and by the county rate; and the persons who possess personal property use bridges, and use the roads.

Q. 598. Do you say then, roads as well as bridges?—*A.* No: that involves turnpike roads and highways. Parish roads are peculiarly of use to the parish, and are used entirely by the parish. As to turnpike roads, they are formed and repaired by money lent on interest; and the interest is paid entirely by the tolls. But statute duty should not be required on turnpike roads.

Q. 599. With respect to gaols as an item, do you see any particular objection to throwing the expense of that burthen on the Government?—*A.* I think, as to gaols, there is not the least objection to so doing.

Q. 600. Do you mean the erection of gaols, or the keeping them up?—*A.* The erection and the keeping them up, and the whole expense.

Q. 601. And the maintenance of prisoners in gaols?—*A.* Yes.

Q. 602. Do the expenses connected with gaols bear a very large proportion in your county to the expenses of public prosecutions?—*A.* I cannot tell without the accounts.

Q. 603. Do you think the Government would be able to exercise as effective a control over the expenses of prosecutions as is exercised by the magistrates?—*A.* I am of opinion they would, and they would exercise it in a much more wholesome way. I think at present the fault is that we allow too little to prosecutors; and that arises from the very active jealousy there is to check the local expenditure. We check it too much; and a great number of persons, to my knowledge, do not prosecute who ought to prosecute, the allowances we make at quarter sessions not being sufficient to cover their expenses.

Q. 604. Would it not be possible to pay the full expenses of a prosecutor, and yet to combine with that principle a more strict economy?—*A.* I doubt that. In the counties with which I am thoroughly acquainted (Worcestershire and Warwickshire) I do not think it possible. We allow too little, in every instance, in Warwickshire and Worcestershire.

Q. 605. And do you think that the expenses are in no respect too large?—*A.* Not in prosecutions.

Q. 606. Do you mean to confine that observation to the expenses of prosecutor and witnesses?—*A.* No: I include every expense connected with prosecutions.

Q. 607. Do you not feel that the expenses of maintenance and conveyance of prisoners may be diminished?—*A.* I do not think they can in those counties. I think we have gone as economically to work as we can in the counties of Warwick and Worcester.

Q. 608. If the confinement in gaol should be diminished, must not that diminish the expenses of maintenance?—*A.* Yes, of course; but that involves another question.

Q. 609. And in the same manner, if the assizes could be held nearer to the place where the offence is committed, must not that get rid of the expenses of conveyance?—*A.* That involves another question—the expense of providing more courts and more gaols, which in most counties would be a greater expense than the expense of transporting persons backwards and forwards. I think you could not diminish the expense in those two counties.

Q. 610. What do you think would be the effect of Birmingham trying its own crime, and bearing the expense of its own prosecutions?—*A.* In order to enable them to do that, there must be a most expensive court and other buildings erected.

Q. 611. Has it not some place of confinement and court-house at present?—*A.* We have at present only an office for the magistrate, and a lock-up house which will serve for two or three nights. There must be a very great outlay.

Q. 612. What effect would such altered system have (supposing it was effected) to relieve the rest of the county from the expense of prosecutions?—*A.* I do not think it would relieve it, because Birmingham would be relieved from its share of the county rate, and being so relieved, the county would not get any benefit.

Q. 613. Do not you think there are agricultural parishes and districts which have contributed their share to the county rate for years, and have never furnished one prosecution?—*A.* Undoubtedly, many.

Q. 614. Would not such rural districts be relieved by getting rid of the expenses of the prosecutions from Birmingham?—*A.* No; they would not be relieved.

Q. 615. Does it not contribute three-fourths of the prosecutions?—*A.* Certainly; but, if it

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does contribute three-fourths in number, that would not involve the county with three-fourths of the expense, because there is a different arrangement made with regard to Birmingham. As many prosecutions come from one office, the solicitors are allowed only per day if they prosecute many prosecutions; but other prosecutions coming from individual parishes, every solicitor is allowed his expenses for that prosecution.

Q. 616. Of the whole prosecutions for the county of Warwick, what proportion do you think comes from Birmingham?—*A.* I cannot say.

Q. 617. Have you any general notion of it?—*A.* No, I have not.

Q. 618. Do not you apprehend that, of all expenses connected with prosecutions, maintenance, conveyance, gaols, and bridewell, and the prosecutions themselves, more than one-half comes from Birmingham?—A. I cannot say.

Q. 619. Supposing it to be half, their proportion to the county rate is one-fourth, should it not pay half the gaols and Bridewell?—*A.* No doubt.

Q. 620. And half the second item, prosecutions?—*A.* Yes.

Q. 621. And half the third item, conveyance of prisoners?—*A.* Yes.

Q. 622. And half the sixth item, county gaol?—Yes.

Q. 623. With respect to maintenance it must be taken into account, that if there was a local criminal court, the gaol deliveries would be more frequent, and thus might not this head be saved?—*A.* Yes; but there is another thing to be taken into account; if you have local courts, you must have local management; you must have all the general charges which now belong to the gaol; the governor, and chaplain, and gaol establishment. It would be almost as much for each individual gaol, as they now are for the whole county.

Q. 624. Must it necessarily be on so large a scale?—*A.* We all know that one large establishment can be conducted on a cheaper scale than three or four small ones.

Q. 625. Is not the expense of the travelling of witnesses and constables to the assizes very great?—*A.* Yes.

Q. 626. Are we to understand that you think the alteration suggested is not expedient?—*A.* I should say that if Government built gaols and kept up the establishment, they had better keep one in and near Birmingham, and one in and near Warwick; and on the whole there would be a great saving.

Q. 627. So much as to the economical considerations; but as to the moral effect, and Sir Eardley Wilmot's plan, is it not very undesirable that boys should be kept so long in prison?—*A.* I think it would be better they should not in the present gaols. I think the gaols are much too small, they ought to be on a more extensive scale.

Q. 628. Do you think then that classification has at all succeeded yet?—*A.* Wherever it can be brought into effect, it is especially useful to keep prisoners as much as possible from each other; and to adopt the system of silence on the tread mill.

Q. 629. You think young offenders should not be sent to prison, unless you could keep boys altogether separate from men. As to the separation of felons and misdemeanants, would they not often find as bad a subject in a misdemeanant as in a felon?—*A.* No doubt; many an old felon is charged with misdemeanor; such an offender is classed with boys and others, who may be in prison under trifling, and perhaps first charges. There should be more discretion given to magistrates as to that, to class according to known character, rather than the nature of the then charge.

Q. 630. If the difficulty as to town gaols and court houses were surmounted, and there were to be local criminal courts, who do you think should appoint the judge; should he be named by Government, or chosen by the town? How should he be appointed and paid?—*A.* Not locally; appointed by the Crown, and paid by the country: no doubt about that.

Q. 631. Then if Government should be induced to take on itself the expenses of judge and gaol, you then think it would be an improvement?—*A.* I do certainly; but not to throw the expense on the towns.

Q. 632. If the gaol expenses and the judge's salary were defrayed by Government, you do not apprehend there would be much additional expense thrown on the town of Birmingham?—*A.* Certainly not; the expense of the conveyance of prisoners and the witnesses would be saved.

Q. 633. You are not aware of what the average expense of prosecutions is at the assizes?—*A.* No, I am not; it varies very much.

Q. 634. Perhaps you can tell us what are the reasons of the great difference of expenditure in the prosecutions at the assizes and the sessions?—*A.* The extra allowance by the judge in prosecutions at the assizes.

Q. 635. Can you give us the extent of the difference?—No, I cannot; but I think the judges allow on the right scale, and the magistrates on the wrong one.

Q. 636. You think the larger scale is the right one?—*A.* Yes; I do.

Q. 637. Do you mean the allowance to counsel and attorney, or to prosecutors and witnesses?—*A.* Every thing; for unless you allow enough to a person he will not prosecute, and therefore the more prisoners will get off; and I am sure there is no falser economy than to be sparing in allowing the expenses of prosecutions.

Q. 638. Does not the difference of expense arise also from witnesses being kept longer at the assizes?—*A.* Undoubtedly.

Q. 639. Do you mean that so large an allowance should be made, in every case, at the sessions as at the assizes? the expense of living at the assizes is surely greater, is it not?—*A.* No; I think not,

Q. 640. What is the difference in your county as to the allowance of counsel between the assizes and the sessions?—*A.* The judges generally at the assizes allow counsel; at the ses-

sions they are never allowed, unless the committing magistrate signs an order that he thinks it a case specially requiring counsel, but that is very rarely, that is in Worcestershire.

Q. 641. How long has that been done?—*A.* For four or five years.

Q. 642. In your opinion has the disallowance of counsel at the sessions been productive of convenience or the reverse?—*A.* I think inconvenience; I think it has tended to lengthen the time of the session.

Q. 643. On the subject of constables, and the diminution of prosecutions, by the prevention of crime; do you think the police of the country might advantageously be taken into the hands of the Government?—*A.* I am of opinion it might, although I think there is a strong popular feeling against it. My private opinion is that it would be much better, but there is a strong popular feeling against it.

Q. 644. And do you think that provincial salaried police officers might be usefully substituted for parish constables?—*A.* I do; and I think it would be very beneficial.

Q. 645. Do you think it would tend to the prevention of crime?—*A.* Very materially; but I think it would meet with very strenuous opposition.

Q. 646. But looking at the country at large, do you think there is at all an effective police?—*A.* There is an exceeding good one, as far as Birmingham is concerned, for the prevention of crime, but a very inefficient one for keeping peace in case of riots; but it is exceedingly efficient as to detecting crime and offenders, and so forth.

Q. 647. Is there any subject connected with the expenditure of the county rates, more particularly with regard to prosecutions, in which you can suggest improvements?—*A.* No, not more than I have suggested; I say, throw the charge upon the public; the landed property has no means to bear it: but I should likewise say, that I am not giving this opinion with a view to the amount of relief that would be afforded to agriculturists; as to the amount of relief it would be perfectly trivial: if you were to give them the whole county rate, it would not amount to more than 1*s.* per acre.

Q. 648. And do you believe that to be about the proportion throughout the kingdom?—*A.* I believe I overstated it very much at 1*s.* per acre.

Q. 649. Do you mean that you overstated it, even with reference to that one county with which you are best acquainted?—*A.* I believe throughout the kingdom, I should be much mistaken if it is more than 1*s.* per acre.

Q. 650. Are you aware that it has increased from £200,000 to above £800,000?—*A.* I am aware it has increased very materially, and I have no doubt it will continue to increase as the population increases, and crime increases; and as a matter of *justice* it ought to be borne by all parties, but as a question of relief to the agricultural interest, it is totally absurd. If they would ease the landed interest from all our parochial burthens, and throw every thing on the Exchequer, they might do some good; but they can do nothing without they take our poor's rate off.

Q. 651. May not the county rate go on progressively increasing till it becomes a very serious amount?—*A.* Yes; and therefore I should say that all parties should be called on to contribute equally.

Q. 652. Is it not the same thing as the poor's rate. It is taken out of the poor's rate?—*A.* Yes; but what proportion does it bear to it? It is £800,000 out of above eight millions.

Q. 653. You have just stated that the constables, or the police officers in Birmingham, are efficient for the purpose of preventing crime?—*A.* Yes.

Q. 654. Do you think the constabulary force throughout the kingdom might be turned to advantage in that respect. Do you suppose if they were permanently employed, salaried, and stationed with regular communication with each other through the county, and used as a force as our police force in London, whether they would be more efficient in the prevention of crime?—*A.* Undoubtedly; I have stated that to be my individual opinion; but I am of opinion that the present Ministry would not be able to carry it. I think any stipendiary constables paid by the Government, although a most excellent plan, would excite a great jealousy and clamour.

Q. 655. Under the Act which throws on the county rate the payment of the fees of prisoners' acquittal, there is also a provision that prisoners discharged from gaol should be passed to their own parishes?—*A.* Yes; and they likewise give them some money out of their earnings.

Q. 656. Are there any abuses arising out of that power within your knowledge?—*A.* No; in our county we have two visiting magistrates, who watch the thing very closely.

[*The witness then withdrew.*]

Examinations.

No. 9.
General Sir James Bathurst.
20th May 1835.

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WEDNESDAY, 20th MAY 1835.

General Sir *James Bathurst* was examined as follows:

Q. 657. You have been long a magistrate in the county of Somerset, I believe?—*A.* For about 13 or 14 years.

Q. 658. Have you acted as chairman at the quarter sessions?—*A.* Only occasionally, when the chairman has been obliged to go away.

Q. 659. Has your attention been turned particularly to the subject of expenses in prosecutions, and the consequent charge on the county rate?—*A.* Yes; to the county expenses generally.

Q. 660. Can you favour the Commissioners with any suggestions on that subject?—*A.* I beg to offer a letter to Sir Robert Peel, which I printed some years ago, when I took much pains to inquire into the subject, also one or two Reports of Committees in the county of Somerset,

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and I would offer some remarks and documents respecting the fees of court, &c.

Q. 661. Is the branch of the subject to which your attention has been particularly directed the fees?—*A.* Yes; the *fees* of prosecutions, often the only objects of them: I have known several instances where poor people who got into quarrels have been prosecuted without the slightest intention of going into court, but the prosecutors have boasted that the fees of court would punish their opponents. On swearing before the grand jury to the slightest assault the warrant of the court is issued, and the poor defendant is obliged to go to the next sessions to wait there the whole session, though nobody intended to prosecute.

Q. 662. Is not this an old grievance, now remedied?—*A.* I should say the most unjust

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fees of court had been augmented, and were of late date in Somerset. I would put in a document showing the rate of fees in that county between 1790 and 1800.

Q. 663. Did you receive that list from the clerk of the peace?—*A.* From a person who had acted as deputy clerk of the peace. Here is the present table that we corrected, and very much altered from what the clerk then claimed, though it is much enlarged from the old table, and is now much too high.

Q. 664. Is this your reduced table of fees?—*A.* Yes.

Q. 665. That is the same as has been given in to the Houses of Parliament, we suppose?—*A.* I believe it is; but the Return to Parliament is incorrect in stating that no alteration had been made since 1810.

Q. 666. Are we to understand that this is the present scale, as corrected and reduced by the quarter sessions?—*A.* Yes; but I would observe, we find practically this table gives an amount of fees much greater than, as one of the committee, I ever contemplated, in consequence of the mode in which it is construed.

Q. 667. Could you explain that result? here are the fees in this column, and certain marks in the margin?—*A.* They are my own marks, comparing what they were in the old table with what they are now.

Q. 668. It received the sanction of the Judges in 1827; is it not so?—*A.* Yes. If you please I would show you the bearings of some of those fees; for instance, we allowed for the first time in the county a legal fee on receiving, filing, and entering a recognisance, and calculating the days of attendance, and specifying these sums, in the order of court, 6*s.* 6*d.*, and we thought that a large fee; and I did not expect that the clerk of the peace could make

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that fee, according to his construction, come to £2 on a single case. These bills, paid by lawyers, show that he often receives from £1 to £2 for a single case; and above 20 cases, all often tried in a day, and he gets about £200 a year by this single fee, so construed.

Q. 669. The fee of receiving, filing, and entering is 6*s.* 6*d.*, whereas in one bill you have produced, it is £1. 15*s.* 6*d.*, and in another £2. 2*s.* 6*d.*, how do you account for these charges?—*A.* I suppose by having a separate recognisance for each witness, and adding something besides, it comes up to this sum, and is charged generally as for the order for expenses, &c.

Q. 670. What is the whole charge of this bill, including the recognisance in felony?—*A.* That is, in a case of common larceny,—the whole is £2. 19*s.*, but £1. 15*s.* 6*d.* is for the clerk of the peace; the rest is for the crier, bailiffs, and indictments. In some counties, the clerk of the indictments is, I believe, paid by the clerk of the peace, and the clerk of the peace receives the fees; that used to be the case in Somerset, but, I believe, the clerk of the indictments now has the whole; he receives it, and he gets enough to pay him. According to information I have,

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between the years 1780 and 1790, the indictment fees were so small that, though the clerk of the indictments had but £5. 5*s.* a session for attending, he did not receive enough fees to pay him, and the clerk of the peace was obliged to pay him the difference.

Q. 671. Did that arise from the small number of indictments?—*A.* I believe partly. One thing should be observed, that the journeys to the sessions were just the same, and lodgings were to be found, so that, in fact, a smaller fee, now that there are so many cases, would pay a larger salary than a larger fee then would.

Q. 672. Is the clerk of indictments a distinct officer from the clerk of the peace?—*A.* Yes; a different person does each duty, both at the sessions and at the assizes.

Q. 673. Is there more than one fee; to wit, *Indictment* 2*s.*—*A.* It is properly so. Where there were 31 indictments, that was £3. 12*s.*; they stuck literally to 2*s.* for each indictment.

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Now they often multiply the indictments, and make special counts, and they run up higher charges; for instance, here there is one indictment that is £1. 5*s.*, another £1. 6*s.* 6*d.*, another £2, whereas the whole amount of indictments at one quarter sessions formerly was £3. 12*s.*

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Q. 674. Do you say the principal sum the clerk got was £5. 5*s.* for every attendance, and he gave the county credit for all the receipts?—*A.* No; this is from the deputy to his principal; the deputy received £5. 5*s.* from the clerk of the peace. It shows that the fees received at that period did not pay that small sum; but it is rather a curious document to show the amazing alteration in the times, by comparing it with some of the modern accounts.

Q. 675. The fees only amounted to £24. 2*s.*, whereas he had to pay his deputy £36 15*s.* for the same period; had he not more to pay his deputy than he received from the fees?—*A.* Yes; but he was responsible for the whole duty, and the person he appointed did the indictments. Now, whoever is clerk of the peace gets a proper person, and lets him take the whole fees. I don't think the clerk of the peace gets any profit by it in Somerset, but the indictments are so profitable now, that if he can make his own clerk draw them, he can make a profit by it; but I don't think he does in Somerset.

Q. 676. There are fees apparently received upon indictments and articles of the peace also?—*A.* Yes.

Q. 677. Therefore it may be taken as an account of all the fees received by the clerk of the indictments?—*A.* Yes. Here is a very curious document from the year 1770 to the year 1772, containing the account between the deputy clerk of the peace and his principal for every year, he then receiving only £105 a-year himself, and the principal getting about £180. Thus the whole profit of the office of clerk of the peace of that day was about £280. No. 9.

Q. 678. Instead of £1,500?—*A.* Yes; a great many of the fees are fees received in the office; but one thing is to be observed, the county then paid nothing: half the fees were on the poorer people, which they could not and did not pay. After the Act of 1818 some clerks of the peace claimed fees they did *not receive* before. I maintain there never was any right in our county to claim fees in felony under Mr. Bennett's Act; there was no legal fee in existence at that time in the county, and the documents I have here prove that to be the case.

Q. 679. That there were no legal fees on acquittal, or rather discharge of prisoners in felony?—*A.* No legal fees in felony, either for acquittal of prisoners or on discharge of recognisance; and at this moment the Bristol Court has none.

Q. 680. But by the effect of Mr. Bennett's Act, various fees, before payable by the prisoner, were thrown on the county?—*A.* I have a letter from Mr. Walsh, dated in 1825, to say that he not only never received any fees for a recognisance, or acquittals, on prosecutions in felony, but he never till lately heard it suggested that any fees were payable for discharging the recognisance in felony, and he had formerly acted in the deputy clerk of the peace's office. No. 10.

Q. 681. When was Mr. Bennett's Act passed?—*A.* In the year 1819, I think, it began to come into play. The Act then fixed these fees on counties, without any inquiry as to their origin or amount, but said the customary fees, and legal custom is from time immemorial, and the Act therefore only justified such as were so. About the year 1780 the judges assembled, and came to a resolution that they never would again *sell* the office of clerk of assize, but they did not put a stop to any one abuse that existed at that time, or to one of the fees that had been gradually increased in consequence of the sale of the office. All they did was, that instead of receiving £5,000, which a situation of clerk of the assize was sold for in those days in the western circuit, (as it has been since, from one to another, *but not by the judges,*) the judges now give it away to a relation, or any friend of theirs, who can make an arrangement about it; and not having done away with one single abuse which existed in 1780, except that of receiving the purchase-money or payment for the sale of the office, and the number of prisoners having so much increased, and the county now paying fees which were seldom got from the poorer prisoners, the office has become a most lucrative one. There is a provision by a statute of ancient date not to sell the office of clerk of the peace, but this did not apply to the clerk of the assize.

Q. 682. But was not the change in the mode of these appointments owing to the salaries of the judges being advanced, and the patronage of their offices reduced?—*A.* No, I believe not.

Q. 683. Is it your opinion that those fees were, in point of fact, unauthorized, and were introduced by those persons in some measure to indemnify themselves for the money paid for their office?—*A.* I have no doubt of it. The proof of the fact is this, that on the northern circuit they were sold for £1,500 by Lord Chief Justice Mansfield, and on the western circuit for £5,000 by Judge Willis; and I believe you find the fees of the circuits nearly vary in that proportion. Nothing, I conceive, but the sale of the office of clerk of assize could ever have given rise to such a fee as £1. 6*s.* 8*d.* on an acquittal for a sixpenny felony, and the clerks of the peace imitated this demand without the same reason or pretence to justify it.

Q. 684. Are you aware whether in your county the fees of the clerk of the peace have been regulated by the judges?—*A.* In Somerset never till 1827.

Q. 685. Do you mean that the judges have allowed that charge of £1 6*s.* 8*d.* for acquittal fees, whether there has been any tariff regulation or not?—*A.* They have passed them, and therefore that has in effect allowed them—that has justified the clerks of assize; but the clerks of the peace I take to have made a gradual approximation to the clerks of assize, but without buying their office, and having a great many other sources of emolument.

Q. 686. Was it in 1827 your last table of fees was made?—*A.* Then they were finally ratified.

Q. 687. Before that time was there any table of fees duly allowed?—*A.* Never, for the last 100 years. I considered no fees to be legal that had not been from time immemorial, unless by an Act of Parliament or an act of the quarter sessions. The clerk of the peace could produce no authority to justify his variation from the old table.

Q. 688. Were there no fees for felonies formerly?—*A.* No, not one, in Somerset, *for prisoners.* I think that in many of the counties there could be got hold of some sort of document of 40 years ago, in which you would find it to be the same thing.

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Q. 689. In point of fact, do you know what amount the clerk of the peace for Somerset receives annually?—*A.* He gives it, in 1829, as £2,110, and in the next he gives it as £1,400 and odd, and £1,600 or £1,700.

Q. 690. Whatever it is, do you think the remuneration is too great, having regard to the amount of labour done?—*A.* Certainly; that is, compared with any other public situations, as the Commissioners of Excise and Customs, &c., and it is not an office that requires a man's entire attention.

Q. 691. Is it not an office that requires the attendance of the man during the whole period of the year?—*A.* Certainly not, because he acts also as under sheriff when he sits in that court, not in our county only, but in many others, and has often much private business as a solicitor.

Q. 692. Does he not also get a separate remuneration in respect of that employment of under sheriff?—*A.* Yes; he gets all the emoluments of under sheriff, and he sits as judge of the sheriffs' court.

Q. 693. Is there any other employment besides that of sheriff which he combines with clerk of the peace?—*A.* He has his private business besides, as an attorney; that depends, of course, on connexion.

Q. 694. He has carried on his private business, you say; are you aware whether, up to this moment, he has done so?—*A.* No, I am not in Somerset, but he has a power of doing it; and by the printed documents does it in other counties.

Q. 695. Do you mean to state that the county business, taking it altogether, is not sufficient to employ him, or merely that his occupation, strictly as clerk of the peace, is not sufficient to engross his whole time?—*A.* I mean the whole business he does, as clerk of the peace, both for the county and in court.

Q. 696. Have you not succeeded in your county, by the late regulations, in reducing the expense of prosecutions considerably?—*A.* In 1825 I think we reduced them by reducing the allowances.

Q. 697. Can you recollect to what extent, in a general way, you succeeded in reducing the expenses of prosecutions?—*A.* Nearly one-third; but if I had the document I could tell better; I think it was from 5*s.* to 3*s.* 6*d.*, or in that proportion.

Q. 698. Do you mean on the whole expenditure of prosecutions altogether?—*A.* The principal part for the allowance of prosecutors and witnesses, and we reduced the mileage.

Q. 699. You were able to reduce the mileage, and the allowance for the maintenance of witnesses?—*A.* Yes.

Q. 700. Did you make any deduction in respect of the fees of counsel?—*A.* We had no fees of counsel in the quarter sessions.

Q. 701. Did you make any in the assizes?—*A.* No, I don't think we did: I think we never allowed more than £1. 1*s.* There are the documents many of the solicitors gave me of what they had paid for several years past.

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Q. 702. Has any injurious effect whatever resulted from the restrictions you then made?—*A.* Not the slightest.

Q. 703. Your business is as well conducted now as when the allowance was larger?—*A.* Yes.

Q. 704. Have there been complaints since the reduction that the amount of the allowance to witnesses for mileage is too small?—*A.* Never, that I heard.

Q. 705. You think the chief item in the reduction that took place was the mileage, or travelling expenses, and the maintenance of witnesses at the sessions or assize town?—*A.* Those are the chief reductions; we have since reduced the diet of prisoners, which was so extravagant that many sought to be committed in the winter from Bath.

Q. 706. And you have also reduced the expenses of the conveyance of prisoners to gaol, have you not?—*A.* Yes, by fixing a specific allowance; but that might be still more reduced by adopting the Devonshire plan.

Q. 707. What is that?—*A.* To do it by contract from the large towns; from Plymouth they do it by contract: they have reduced the expenses very much in Devonshire by this plan; if we did the same at Bath we might save a good deal.

Q. 708. Do you speak of the cost of the prisoners' conveyance?—*A.* Yes.

Q. 709. The conveyance to the gaol from the committing magistrates?—*A.* Yes, and to the assizes and sessions: by adopting waggon horses instead of post-horses, for the conveyance from the gaol to trial, we have reduced this expense greatly.

Q. 710. Do you now speak of conveyances from the sheriffs' gaol to the place of trial?—*A.* Yes; we now do it in waggons; we have saved two-thirds; we used to send conveyances with four post-horses.

Q. 711. Where were they carried to for trial?—*A.* Our assizes are held at three places; at Taunton, Bridgwater, and Wells; we had to convey them from three different gaols to those points.

Q. 712. Where is your sheriffs' gaol?—*A.* At Ilchester.

Q. 713. Is the expense of conveying the prisoners to gaol on their commitment a subject of separate order by the magistrates in the county, or does it form part of the bill of the clerk of assize?—*A.* It is by a separate order from the magistrates.

Q. 714. Under what orders are the different expenses paid?—*A.* There is an order of the clerk of assize in the assize prosecutions, and of the clerk of the peace at the session; and an order of the magistrates for committing the prisoners to gaol.

Q. 715. Is there any other order on which the treasurer pays money in respect of prosecutions?—*A.* I forget now whether it is simply by an order of the magistrates that the parties'

expenses previous to committal are paid. That is in fact under a separate act; the order for paying the conveyance would be a separate order.

Q. 716. Does the court of quarter sessions make an order for the expenses in sessions cases, or is that called an order of the clerk of the peace?—*A.* The clerk of the peace does in fact do it; the sessions never interfere.

Q. 717. Does the court ever make a special order?—*A.* Very rarely indeed. If there was a special application for a larger sum than our allowance, then it would be a special order, but I have never known it done.

Q. 718. In your scale for the quarter sessions, have you no allowance for the fees of counsel?—*A.* No.

Q. 719. But at the assizes you think there is an allowance?—*A.* Yes.

Q. 720. Do you recollect what is the allowance to the attorneys at the quarter sessions?—*A.* I think £1. 1*s.* Now here is a document which I think might be curious for you to read: it is a very curious document as to the effect of fees, which is not easily to be got from the clerks of the peace themselves; it is from an attorney in Wells; charges which he has paid within three or four years for different cases. There is an assault case in which there are two defendants, one of whom was acquitted; the court fees were £7. 4*s.*, the other fees were £3. 17*s.*, making a total of £11. 1*s.* for a little trumpery assault case. It shows the *effect* of the fees; the table of fees does not show it. No person, not connected with the court, could make out what the clerk of the peace received in each case, therefore I went to the attorneys who paid them, and I asked to know what they paid.

Q. 721. Is this an extract from an attorney's books and in regular order, not taken or selected in any way?—*A.* No, just as it happened to be entered in his book, and is—"Court fees £4. 1*s.* 8*d.*; producing award, £3. 3*s.*; drawing and engrossing record, £2. 12*s.* 6*d.*: total, £9. 7*s.* 3*d.*—in a road case. Axbridge rioters—17 indicted; first session, court fees, £5. 9*s.* 4*d.*; second session, £37. 13*s.* 2*d.*: total, £43. 2*s.* 6*d.*" These fees are most oppressive, and ought to be changed: for these little parish riots, where there were a number of poor persons indicted, the whole amount is £43. 2*s.* 6*d.* This is besides the fees the prosecutors paid in the same case.

Q. 722. Looking at the paper, we must request you to explain that statement as to the paper book?—*A.* That is what Mr. Walsh explained to me; and for information respecting the fees, I never received so much from all the lawyers I ever talked to as I did from him; he so clearly explained to me what the nature of the fees was, and where they were fair, and where they were abuses. And, among other things, he said the paper book was one of the greatest sources of abuse; that it was only to be allowed when there were a number of special pleas, and they were obliged to enter separate evidence under different heads, and it would take a good deal of trouble; this paper book may be a fair charge, at so much per folio, but a paper book is often charged, even where the plea is simply a general issue.

Q. 723. In point of fact who paid those fees?—*A.* The poor people, the poor rioters; this is not a felony case.

Q. 724. Did they pay them?—*A.* In some cases they do, in some they can't, but I know one case in which above £84 were the fees charged; the poor people offered £57 and it was refused.

Q. 725. The prosecutors would pay the fees in this case; would they not?—*A.* No; these are for defendants; the defendants pay their own fees. This was the bill of the defendants' attorney, the prosecutors' fees are not here.

Q. 726. Could you get the prosecutors' fees in this same case?—*A.* Yes, if I knew their solicitor.

Q. 727. Does the clerk of the peace ever render an account of this kind to any body?—*A.* No. But this shows the effect of our fees which we allow, showing how wrong we were to allow so much. The clerk of the peace's fees with 36 persons were £84. 2*s.* 6*d.* The case took a very short time. The defendants offered to pay £57; he refused that; whether he has taken it since I don't know; that was in 1833, as to one case, and that a little riot case.

Q. 728. The £84 was the aggregate; but what was the amount of any particular fee objected to?—*A.* The clerk of the peace marks his fees on the back in one sum, including a charge for the paper book; 36 persons were included in one indictment; those are poor people who only earn 7*s.* or 8*s.* a-week, on whom it presses, and if the attorney thinks he can squeeze it out of them he pays the clerk of the peace, and then is often obliged to ruin and harass those people to get repaid, so that the clerk of the peace has not the odium of it.

Q. 729. Would a very great part of those fees be saved if they were to plead guilty?—*A.* Yes: in some cases, I believe, they do plead guilty still; formerly they often did when the acquittal fees were in existence.

Q. 730. What are the fees actually allowed for each defendant in your table?—*A.* We never should have allowed fees that would have amounted to so much. It is impossible to know how to construe this table; you want one simple fee for each case, and then every one would know what it is; but if you allow them to multiply fees, that is the source of abuse.

Q. 731. The traverse fees would be saved if they pleaded guilty, would they not?—*A.* If they did not traverse they would, but here are some curious remarks by the clerk of the attorney who gave me this long list of court fees; he made these remarks on them.

Q. 732. The table of fees allows the fee for the paper book, I suppose?—*A.* I don't see the name of paper book; but it allows so much per folio. Any thing he writes is paid for *per folio extra.*

Q. 733. What do you consider the ordinary duties for which the clerk of the peace is remu-

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nerated by the regular table of fees?—*A.* Duties in court for the fees in court, and the other fees are for business in his office.

Q. 734. Do you pay him for attending the adjourned quarter sessions?—*A.* No.

Q. 735. But if he is sent to look to a bridge and make a report, we find he has charged three guineas a-day?—*A.* Yes; besides this we have given him £550 salary for his ordinary duties; it only includes his business on the first day and carrying that into execution, and does not include stationery; besides this he is allowed his charges on prosecutions. He has his fees, which are comprised in the costs of the prosecution, which the county rate defrays also.

Q. 736. And do you say he is allowed his profits as a solicitor and attorney in all county prosecutions?—*A.* Yes, if employed as solicitor.

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Q. 737. Do you mean supposing the county engaged in any lawsuit, or if you had any law business to conduct?—*A.* Yes: I see a comparison of fees between the assizes and the sessions; and to my surprise the clerk of assize does not appear to get anything like so much for a felony case as the clerk of the peace does, even under our amended table of fees, though when that table was cut down he received 13*s.* 4*d.* for each discharge of recognisance, and we cut it down to 6*s.* 6*d.* and we meant it to include the order and everything, yet some of them amount to £1. 15*s.* 6*d.* and £2; and here there are at the assizes none above 12*s.* 6*d.*, 17*s.*, 13*s.*, and so on; and one cannot understand how he makes out the reduced table of fees to produce so much larger emolument.

Q. 738. Can you state what the average expense of sessions prosecutions is?—No, I should not like to do that from memory.

Q. 739. Do you think the average of a sessions prosecution is greater than an assize prosecution?—*A.* No, less.

Q. 740. Considerably?—*A.* Yes, considerably, except in that particular charge for the officer of the court.

Q. 741. But in what does the difference between that and the assize prosecution consist?—*A.* We allow counsel and clerk £1. 3*s.* 6*d.*; attorney for brief £1. 1*s.* In many cases there is no charge for an attorney at the sessions; I don't think they always employ an attorney at the sessions, but at the assizes always, and counsel also.

Q. 742. Do you think this allowance to the counsel and attorney at the assizes proper and necessary?—*A.* I meant to propose that they should be done away with, for I understand, on talking to Mr. Estcourt on the expenses in Wiltshire, that they have refused them, and don't find the business worse done.

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Q. 743. When you say you find that the fees received by the clerk of the peace are greater than those received by the clerk of assize, you are probably looking at the great profits on misdemeanors?—*A.* No, I am looking at cases of felony. These last charges in the bill the clerk of the peace gets for his own profit; the other charges are for the clerk of the indictments, and the bailiffs and the crier. I look on this to be his own:—"Order for expenses, 15*s.*; the same, £1. 15*s.* 6*d.*" These are his fees only. Now here is the clerk of the assizes:—"Order for expenses, 12*s.* 6*d.*; order for expenses, 17*s.*; order for expenses, 13*s.*"

Q. 744. How is it they vary—the orders cannot be greatly different?—*A.* I imagine from the number of witnesses that were sworn; I don't exactly know. I can't go to the clerk of assize and ask him to answer my questions. It seems extraordinary they should run it up to such sums. Magistrates' clerks, I think, increase these fees by giving so many separate recognisances. Our clerks of magistrates formerly got nothing for drawing up recognisances, though they found parchment. Now they do; but I conceive they are not entitled to any for getting recognisances. My idea has been that every sort of public business could be paid by salary, or one sum or given fee for each case, which is in the nature of a salary; but there may be fees for business done for individuals, and you may have a table drawn up.

Q. 745. You say there is no allowance at sessions for counsel's fee, but, in point of fact, are counsel employed at sessions?—*A.* Very rarely.

Q. 746. Is there not always a bar at sessions?—*A.* No, not at half the trials at our sessions.

Q. 747. Do you not think it would be very useful that the bar should be present at the sessions as well as at the assizes?—*A.* When Mr. Phillips was our chairman we found it more quietly done without them, for part of the bar was employed in some of the low cases. It was seldom among the most able this business went, and they were generally talking and trying to puzzle the court and jury.

Q. 748. Do you not think that the presence of a respectable bar has a useful effect in the administration of justice?—*A.* Yes, as a general principle; but when you have 160 prisoners, and our civil business is over the first two days, all the bar run away, and at the latter end of the session there is hardly any one to stay. I do not see, therefore, why most of the earlier trials might not be as well done without them.

Q. 749. When counsel are employed, is it entirely at the expense of the prosecutor?—*A.* Yes.

Q. 750. Do you think that that is right when a prosecution is instituted on sufficient grounds, and the conduct of the prosecutor has been unexceptionable, that the expense of employing counsel should fall on him, if it is right that counsel should be employed at all?—*A.* I have no doubt that in any special case the court would allow counsel; but in ordinary business I think they are not required in the common cases of criminals.

Q. 751. But if an attorney were employed, should there not be an allowance to him?—*A.* So there is.

Q. 752. You do allow for an attorney at the sessions?—*A.* Yes, I believe in some cases;

and in many places there are societies for the repression of crimes. They allow a certain sum to an attorney; at Wells we have one.

Q. 753. You have stated that the average expense of a prosecution at the assizes is much greater than at sessions; is that produced in any degree by the allowance being higher to the witnesses at the assizes?—*A.* I declare I could not answer that from memory, but I believe not. It is ten years since I paid much attention to it, and I have almost given it up; my idea is that it is impossible for us to know what is done. The clerk of the assize gives in a general item, as much as £400 for a single case.

Q. 754. But can you not call for a detailed bill?—*A.* No, that is the great ground of complaint, that you have no control over them.

Q. 755. As to sessions prosecutions, have you not the means of checking the details?—*A.* Yes, but then it is nobody's business. I was just now asked the emoluments of the clerk, and I have got them written down for three years; but they are copied from your own Parliamentary Report. There is one observation I have to make on it, and that is, that it is extraordinary that when the whole business of the office was done for £105, a few years ago, he now thinks it a fair thing to have £300 or £400 a-year for his clerk's allowance only. What can that be for but to give him more time? He says "I only received one year £1,180, clear profit; £985 in another year; £1,475 in another year; in another, £1,698." He received, however, for clerks also, and that is part of the profits. He may choose to employ a clerk, to give himself time to do other things.

Q. 756. Formerly did £100 a-year cover the expense of the clerk as well as the principal?—*A.* Everything; with regard to the duty done, the principal got £180 a-year profit besides, but the deputy did it for £105 a-year.

Q. 757. Do you think that charge for clerks is a sufficient remuneration for the whole labour?—*A.* No; I should say from £500 to £1,000 a-year is very good remuneration, except in Lancaster: I can't judge what it may be in an enormous county like that.

Q. 758. Do you mean in addition to a salary when you say £500?—*A.* No, including the salary, in many counties more than enough; but I should say £1,000 a year would be a very large emolument where a man has an opportunity of doing other work to a great amount, taking as a criterion that £1,500 only is allowed to public officers of more responsibility and more attendance in London, and where these gentlemen can follow no other business at the same time. That is the ground I should put it on, and comparing it on the other hand with the very small allowance you give to persons in situations in other professions in the service of the county.

Q. 759. Should you not deduct the charges for a clerk from the £1,300?—*A.* No, the average is £1,300 clear profit, besides the clerk and besides the outgoings; the whole average is £1,822 for three years.

Q. 760. Do you consider the payment by fees or by salary a better principle?—*A.* I consider a salary for all public business, but fees for private individuals; because different individuals come and ask for copies, and they must pay for them, and if they go and deliver documents it is fair to allow a fee for that.

Q. 761. You would fix in the most definite manner every description of fee for private persons to pay?—*A.* Yes, I would have a distinct single fee, and not a charge made up of a number of items clubbed together.

Q. 762. You are aware that a plan has been suggested of uniting the offices of clerk of the peace and clerk of assize; do you approve of that plan?—*A.* I declare I hardly know; I do not like to make an attorney the principal man in a county, which this would tend to by increasing his importance.

Q. 763. Have you seen the proposed schedule of fees?—*A.* Yes; my objection to what is proposed is the multitude of items of which each bill is to be made up.

Q. 764. What is the amount of charges in the bills of the clerk of the peace?—*A.* In 1831 the amount of the bill on the county for ordinary business is £504, and for extraordinary £184.

Q. 765. What do you mean by ordinary business?—*A.* I apprehend that is the ordinary business as clerk of the peace relating to the court of quarter sessions, and partly an allowance for duties done in the court, as we always calculated on having two courts. In 1831 or 1832 he came and asked for more, and they gave it him. The amount of the fees of the court is £844; the amount of the other fees £124: making a total of £1,654. Then in 1832 the amount for ordinary business is £504; extraordinary business, £116; and fees of the court, £749. £749 is for what? for one month's work—four quarter sessions *in court*, (for the salary pays for other business and for part of that also.) That is paid for four weeks' work, and of that about £200 is paid by the county, besides the salary.

Q. 766. What does the claim mean, entitled for "all other fees?"—*A.* Fees in his office when people bring madhouse returns, and for swearing in magistrates and a variety of other fees. I consider that is raised out of court at different times, and therefore I imagine he does not want a clerk at £300 a-year to do that business, for which the fees are only £117; therefore I consider his giving such a high salary to the clerk is to have a man he can trust to do this and other business, and get greater profits himself by other employment; therefore it is fair to consider *that* salary for clerk as a part of the return from his office.

Q. 767. Do you suppose when Mr. Coles speaks of fees of court, he does not mean fees of indictments?—*A.* I believe not; I have always understood the clerk of the indictments receives those fees. Besides, part of the *court fees* would be for the bailiff and the crier; but the clerk of the peace only gives what he receives himself of the fees in court.

Examinations.

No. 9.
General Sir James Bathurst.
20th May 1835.

Q. 768. In your county the clerk of the peace does not act as the clerk of indictments?—*A.* There is another officer under him who, I have always understood, receives the whole fees.

Q. 769. When you assent to giving a salary, should you allow him to practise as a private attorney?—*A.* Why not? In a small county he might do it, or he could not get enough to live upon.

Q. 770. Should you see any objection to attaching the duties of under-sheriff to those of the clerk of assize?—*A.* The duty of under-sheriff is, I think, more objectionable than that of clerk of assize to combine with clerk of the peace; so thought the committee of the House of Lords, and they have reported specially on it.

Q. 771. Is he not attendant at the assizes as clerk of the peace?—*A.* Not at the assizes, he has nothing to do there; and if he was clerk of the assize it would be impossible for him to be the under-sheriff too; it would multiply the duties.

Q. 772. Then he would require additional assistance?—*A.* He is already made too great a man of. You would be making so many petty republics, of which the clerk of the peace would be prime minister, and the treasurer chancellor of the exchequer. I think you make an attorney, not necessarily of the highest talents, too important. Nothing is required of a clerk of the peace that is required from half the first-rate solicitors of the country. There is no great responsibility; there are the forms of the office and the technicalities of law; but there are very few counties where they depend entirely on his legal opinion; there is generally some magistrate who has been a lawyer, who is looked up to.

Q. 773. They need no knowledge of conveyancing?—*A.* No; it is but a second-rate office, and the duties of it are but of a second-rate nature, and therefore we make them officers of double the importance they really are.

Q. 774. Are they more than ministerial duties?—*A.* No, they are not. If you look back to the old law of England, you find Government paying 2*s.* a-day to the clerk of the peace, and 4*s.* to the magistrates, for doing their duty, which shows the degree of relative estimation; and that is paid to this day. We make a noble use of it, that would be a pattern for any other county: we make it a magistrates' fund; we place it at the disposal of the chairman. If any constable is obliged to appear as a witness, or has done his duty particularly well, or appears as prosecutor and you can't by law pay his expenses out of the county rate, we pay it from this fund; or if there is a poor witness or a prisoner, who has been hardly dealt with and has a great way to go, the magistrates say "It is a very hard case, we will give him something to pay his expenses back:" so that it is a sort of charitable fund at our disposal, which is a most useful way of applying it.

Q. 775. Has it not been a question whether that was not a mendicant fund, and that it should be done away with?—*A.* It is so small it is not worth doing away with, and if we get it regularly and make that use of it, it is a most useful fund; and you would not find people willing to subscribe to form the same fund. I have known many instances of its doing good. The clerk of the peace keeps it, and the chairman gives an order for so much out of the magistrates' fund.

Q. 776. It is only claimable, is it, by the magistrates who appear?—*A.* The Government only allow for 12 magistrates for four days, and if there are 24 magistrates for eight days they cannot get more.

Q. 777. Do you happen to know out of what fund that is paid?—*A.* It is claimed in the sheriffs' cravings, and paid from the fines, and, if not enough of them, out of the Treasury; but the under-sheriff showed me all the bills. Merryer and Broderip are the firm that used to give me the information.

Q. 778. Do you recollect the amount of the county expenditure in Somerset?—*A.* The last year it was reduced; but there is the whole amount, £22,000 in 1833.

Q. 779. How much is that in the pound?—*A.* About 2½*d.* in the pound. I calculated it formerly when I had all the counties of England before me; but ultimately the abuses will lower the magistracy in the estimation of the people. They have a regular radical meeting to watch the accounts of the magistrates one by one in Staffordshire. They moved half a year ago against the magistrates for not furnishing them with an accurate statement of the clerk of the peace's account. It has a mischievous tendency on the character of the magistrates themselves, having constantly these additional increasing rates to raise for charges they cannot be and are not individually responsible for.

Q. 780. Has it been a continually growing charge of late years on the county of Somerset?—*A.* Yes, but what has prevented its more rapid increase, has been a check in 1825; a committee last year checked it again. In 1823 we began to reform; we cut it down. But the crimes are very much increasing. In our county crime has increased so much that ten years ago the gaol at Shipton had 400 inhabitants in the year, and now has 600.

Q. 781. How is it that, notwithstanding this reform, the rates have again increased?—*A.* Yes, they have.

Q. 782. Is that owing to increase of crime?—*A.* Partly.

Q. 783. At what period did crimes begin to increase?—*A.* I could not say.

Q. 784. Has it been before the war or since the peace?—*A.* Since the peace very much.

Q. 785. Does the county rate reach above 3*d.* in the pound?—*A.* No, I don't think it does throughout England.

Q. 786. But in your county?—*A.* I doubt if it is more than 3*d.* in any county on *the clear value.*

Q. 787. In your county on your rental, from which you calculate your county rate, does it exceed 3*d.* in the pound?—*A.* No, I don't think it does; we don't calculate on the rental.

We had a new rate a few years ago, and we took the last returns of the property tax. If you have taken the last returns of the property tax as a criterion, you don't estimate your county rate by rack-rent, but you take so many pounds and divide them among the parishes, and there is so much a share; the estimate was formed on the same calculation for all the parishes. If you make one general estimate, the poor-rate may be paid differently on different calculations, but still the *proportion* of the county rate is fair for each parish, whatever their poor rate is formed on. The only thing people have a right to complain of is the weight of the whole tax falling on one class. I think it unfair that every additional expense of modern times and modern refinements should be thrown on the land, when that very expense is almost invariably for the protection of personal property; and therefore it would be much better that Government should pay as much as possible. Government should keep a sharp eye on the magistrates, and they would be then in some degree responsible.

Q. 788. But if you could throw the burden on personal property instead of landed property, would not that equalize it?—*A.* Yes, and I say that by making Government pay it you do that. The real objection of Government about it is that they do not like to have so much more to provide for. The secondary species of taxation is ten times more grievous than the first; there is less check on it, and it is increasing in a treble degree; but if the Government would, they could conduct the business much cheaper. They talk about the difficulty, whereas in the War Office they look into a multitude of accounts, and keep them so regular that you could not discover a farthing's worth of abuse. It is not more difficult in civil affairs than in military to regulate them; but the present system does go to injure magistrates and lessen their influence a good deal.

Q. 789. On the subject of conveyances,—suppose an offence committed at Bath to be tried at the assizes, and the prisoner is committed to the sheriffs' gaol (the gaol of the county), must he not be sent to Ilchester?—*A.* Yes; we are not very nice about that; we do commit to Shepton; it must be an atrocious offence we send on to Ilchester.

Q. 790. With a view to be tried at the sessions, you send him to Shepton?—*A.* And for the assizes too.

Q. 791. When the trial is to take place there, do you commit to Shepton?—*A.* It is much cheaper to commit, in the first instance, to the nearest gaol, and then to go up in a body to the further distance, than to commit to the further distance and go the shorter distance in a body.

Q. 792. But if you violate the law, it is because you perceive the hardship of it?—*A.* I am not sufficiently acquainted with all the acts of Parliament to know how far we are justified.

Q. 793. But do you do it because you perceive the evil?—*A.* We have just now given in a report to remedy the evil: we wish to have all our criminal business of the east done in the east, and all of the west done in the west, in order never to have the Bath people taken down and kept a fortnight at Taunton, to the great inconvenience of themselves, and the great expense to the county, when they would not have half so long to stay, nor so far to go. If the trials were at Wells, the Bath people would only have half the distance to travel, and only half the time to stay, and we calculate we should save 3,000*l.* a-year if the sessions and assizes were so regulated.

Q. 794. You would make two districts?—*A.* Yes, it is not new; for in Nottingham they adjourn from gaol to gaol every sessions; there is the same clerk of the peace: and in Sussex the same; they do it from east to west.

Q. 795. You would make two districts in that respect, of which Taunton would be the centre in one division of the county, and Wells in the other?—*A.* Yes; Taunton or Bridgewater in the west, and Wells in the east.

Q. 796. You would save 3,000*l.* a-year, do you say?—*A.* Yes.

Q. 797. In what way?—*A.* In the expense of the conveyance, and in the time the prosecutors have to remain, and the number of miles they would have to be paid for their conveyance. We have a petition before the Privy Council to let there be two assizes. The judges might begin at Taunton and try the prisoners, and then come on to Wells. If their officers don't object to it, and set them against it, it would be much to their advantage; for in summer you get such an enormous collection of people, who have nothing to do but crowd the court, and there they stay a fortnight. It would be better to sit at Taunton a few days, and then come on and sit at Wells on their way home, and it would save the county a great deal.

Q. 798. Have you ever carried that idea further, and considered what would be the effect of subdividing still more?—*A.* We considered what, under existing circumstances, we ought, as a committee of magistrates, to entertain.

Q. 799. But might not that large county, by act of Parliament, be divided into smaller districts?—*A.* I think not with advantage; but Bath might perhaps be separated, and Bristol might include its suburbs.

Q. 800. That is the principle on which the Central Court of the Old Bailey has been established, though it is the most expensive?—*A.* I know nothing of the London courts; but the objection to doing it too much is, that you would leave the present town magistrates the jurisdiction; and with all due respect, they are not so competent, I think, as county magistrates. If you have a good recorder it is different; Bath supplies our county with nearly half the prisoners,—more than a third; Bristol has a separate jurisdiction.

Q. 801. Do you know what proportion Bath bears to the county rate?—*A.* I forget; but I believe not above half the expense they create. Perhaps about one-fourth of the rate; something of that sort. If the Bath town alone were to try all their own prisoners, I should fear it would come very hard on all the respectable middling orders, as to jurymen and that; they ought, therefore, to take in a certain extent of the county for supplying the numbers, and also for unprejudiced jurors.

Examinations.

No. 9.
General Sir James Bathurst.
20th May 1835.

Q. 802. But you know a parliamentary borough extends six or seven miles round; might not the jurisdiction be co-extensive?—*A.* Yes; if they would do it a little in that way, calculating how many jurymen each hundred would furnish, it would have a better effect: there should be a recorder, or proper person as judge; and the jury system should be a little looked to.

Q. 803. Otherwise it would be quite clear, would it not, that the jurymen, and the criminals, and the prosecutors would all be so well acquainted with each other, that you could not always insure a correct verdict?—*A.* Yes: my idea is, that if you attempt to set up a new jurisdiction, you must guard against that; I consider an adjourned quarter session in the county as not much alteration; I think the present system shows the necessity for that: you can hardly get magistrates to sit it out, it is so long a business; you could much more easily get gentlemen to sit out the business of their own neighbourhood than sit for the whole county, where it is so large, and the number of prisoners so great, particularly now there are different county members; we have no longer a hold on the same members to do both east and west business, though formerly the county members would do the whole.

Q. 804. Don't you think a county member a very improper man to be a chairman?—*A.* Sometimes it may be an inconvenience, but you have a tie on them to attend; and I do not think we found much inconvenience in Somerset.

Q. 805. Does not Wells try its own prisoners?—*A.* No; not half-a-dozen a-year. The old borough does not include the whole of the town. I doubt whether the Reform Act has altered that yet; for though a certain extra portion of the town is included in the borough, it still remains in the county jurisdiction.

Q. 806. As to Bath, must not the conveyance form a very great part of the expense?—*A.* I was going to propose in the county, if I could get a committee, for an attorney for each division of the magistrates, to conduct the prosecutions of that division, and that there might be counsel employed as county counsel, instead of letting the attorneys select the counsel. If we are to continue to pay it, we have a right to nominate, and it would be better to have one or two people we could depend upon to conduct our prosecutions. I think this would also lessen the expense.

Q. 807. Don't you think there might be as much jobbing, and as much of what is undesirable, from magistrates having a young man just called to the bar who might be recommended for the situation?—*A.* You might change them every sessions, or find some way to obviate that.

Q. 808. On the whole, would you approve of the principle of parcelling out large counties into small districts, each district having its own criminal administration of justice, provided it was large enough to supply jurors?—*A.* No; I objected, in the committee, to more division than was absolutely necessary, and I recommended to make as few alterations as possible, and none in the system of one county fund for all the county expenses, but to propose that Government should remove as many items from these expenses as possible.

Q. 809. Do you see any objection to raising a separate rate in each district, to meet the mere expense of prosecution?—*A.* Yes; I think there would be so many rates, that that alone is an objection; but it is an additional objection that the county rate is composed of so many items, and you would have new officers and multiply expenses.

Q. 810. Do you mean that remark to apply to Bath?—*A.* That is a separate town; but if you do it east and west, I should object to east and west Somerset collecting rates separately; if you choose to take so much out of the county altogether and give it to Bath, so far, well.

Q. 811. You would approve of the insulation of a large town like Bath?—*A.* Yes; I think it would be an advantage to them; but some say it is objectionable.

Q. 812. It would be a disadvantage to the rest of the county, would it not?—*A.* I doubt whether it would: it would be pretty equal; it would be more, perhaps, for the convenience of the inhabitants than a saving of expenditure. You would have a new gaol, and new officers to pay. I doubt whether the expense of building a new gaol, and paying new officers, would not very nearly make it up to their present share of the county expense.

Q. 813. But if this additional expense of building a new gaol fell on the county?—*A.* The Bath people would not be much gainers, as they must then continue to pay their share of all the county expense.

Q. 814. But the county at large would be gainers if they were eased from the expenditure of those prosecutions that come from Bath?—*Q.* Yes; to a degree, certainly.

Q. 815. That part of the county not comprised within the Bath circle would be eased in proportion to the expenditure of those prosecutions?—*A.* Yes: when I sat on the committee, Captain Scobell got a map, arranging the hundreds and putting the number of prosecutions in each hundred; it is a curious document.

No. 2.

Q. 816. As to the proportion of expense coming from Bath, you said they did not contribute anything like their proportion of the expenditure: suppose you deducted from that the expense of travelling consequent on the great distance they go with prisoners, witnesses, and others, do you suppose that would bring it pretty nearly home?—*A.* Yes; and I hope our arrangements about the east and west will pretty nearly bring it home, if we get all our improvements adopted. I find the Bath magistrates allow their officers to make a job of it, in fact it is a difficult thing to prevent. I desired the gaoler of Shepton to send me in a return of every prisoner who came from Bath, the days they came, how many came together, and who brought them; and then I wanted to compare that with the orders of the Bath magistrates for committal, to know whether they had not made out separate orders for every person. I know, if we did it by contract, we might save a great deal. The very persons now employed offer to take the prisoners for half the money they now cost.

Examinations.

No. 9.
General Sir James Bathurst.
20th May 1835.

No. 12.

Q. 817. Might they not have a lock-up at Bath, and when they had got together a given number of prisoners carry them down in a van?—*A.* They might; but they would not allow the county magistrates to send a prisoner to their lock-up house for a single night; they are obliged to send them to the parish lock-up house.

Q. 818. Do you know what is the population of Wells?—*A.* About 3,000.

Q. 819. Taunton tries its own prisoners, does it not?—*A.* No; Bridgewater tries a few, as well as Wells, but it has very few: there is a document which will show what the fees are; the county Epiphany fees were 115*l.*; Bridgewater, 4*l.* 14*s.* 6*d.* for the same sessions; so that theirs must be very few.

Q. 820. Do they not send a large proportion of prisoners to the county?—*A.* Yes; Wells also sends to the county when they choose, as they pay part of the county rate.

Q. 821. All their assize cases are sent to the county gaol?—*A.* I am not sure if they have not the option about misdemeanors: Bridgewater seems to try more than Wells.

Q. 822. All those other cases called capital, such as sheep-stealing and horse-stealing, are they sent to the county gaol?—*A.* At Wells 99 out of 100 go to the county prisons.

Q. 823. The gaol at Ilchester is a large gaol, and generally full, is it not?—*A.* It is seldom full. Shepton is the larger gaol, and holds more prisoners than Ilchester: we send as few as we can to Ilchester: Taunton and Shepton are so much more convenient for the sessions and assizes, and, as far as we can judge, we find it economical.

Q. 824. Would you approve of the insulation of Taunton, by which it would be compelled to support its own prosecutions?—*A.* I do not see what the object would be: Bath is peculiar; it is an immense town, at the extremity of the county; they have to come to the middle of the county for justice, which is a great expense: Taunton is in the centre, and you would have the outskirts coming to the same place for a separate jurisdiction.

Q. 825. Does not a town like Taunton originate more prosecutions than the proportion it pays to the county?—*A.* I never have calculated accurately; I do not think you should entirely make money the chief consideration; I am not for trying to calculate that too nicely; that is why I don't like to have any alteration in the rates in East and West Somerset; I think money should not be the only principle, it only generates new difficulties. I would keep the old institutions; and whatever alterations are made should be, if possible, without changing any of them.

Q. 826. You would not look merely at the economical object, apart from the institutions?—*A.* Certainly not.

Q. 827. This state of things, then, has been subsisting almost immemorially?—*A.* Yes.

Q. 828. Do you think it would be possible to abolish fees of court altogether?—*A.* No; at least not advisable to do so.

Q. 829. Upon the present system the county at large has to pay the fees of the prosecutor?—*A.* Yes; but the county had better pay a specific sum for each cause, or a salary according to the average business.

Q. 830. Would it not be a saving to allow a moderate salary to the clerk of assize, and abolish such fees of court as the county are called on to pay?—*A.* It would be difficult to say what should be the proportion; I doubt if it would not be a better way to fix so much for each case, for then you pay in proportion to what your business is: if the Government pay the clerks of assize, they might pay a salary for the whole circuit, and increase it if business greatly increased.

Q. 831. You would charge for one assault a fixed sum?—*A.* Yes.

Q. 832. Whether it was a long or a short case?—*A.* Yes; it is then a salary in fact, increasing with the number of cases.

Q. 833. You would prefer paying the clerk of the peace by a well-regulated system of fees rather than by salary?—*A.* The clerk of the peace should be paid a salary for all county business.

Q. 834. But you would not abolish his fees of court?—*A.* I would not abolish all fees of court; I think you would open the door, very likely, to more difficulties.

Q. 835. Why could not the Act of Parliament fix the salary for each county?—*A.* Because the business of different counties is so unequal; but a maximum might be fixed in proportion to population.

Q. 836. Don't you think the principle of paying altogether by salary would be good?—*A.* I think only for county business.

Q. 837. What would you call county business?—*A.* Every thing, except what is connected with trials, and business for individuals in the office, as copies of documents, &c.

Q. 838. Upon the whole, General Bathurst, what suggestion would you make, which you think of chief importance, for improving the system of expenditure of county rates under the head of prosecutions?—*A.* As much as possible that it should be thrown upon Government; I would say generally, in two or three words, that as much as possible you should reduce the number of accounts the magistrates have to pass; in every item which every additional Act of Parliament adds, you add an additional source of abuse; and Government could regulate the expenses connected with the police in the country, just as well as the War-Office do of the military accounts. I don't know why the civil branch should not be as well done as the military.

Q. 839. You are not aware of any branch in which they do that so well?—*A.* Look at the Post-Office and the Excise, which pay all half-pay and pensions in the country places, —see how the receipt and the expenditure of money are managed. The county expenses are quite modern; half the expense has grown up in the last fifty years, and it may go on, and one of the worst effects in critical times is the risk of injuring the character of the magistrates.

Examinations.

No. 9.
General Sir James Bathurst.
20th May 1835.
No. 13.

Q. 840. And though apparently a trifling amount, it comes out of a fund which is extremely pressing; it is identical with the poor-rate?—*A.* Yes: this paper will show the increase of abuse from a single Act of Parliament; formerly the county really paid nothing to magistrates' clerks for felony cases, and I don't think the prosecutor paid anything: the moment an Act of Parliament passed to allow the expenses of the prosecutor previous to committal, instantly some of the clerks ran up five separate charges to be paid to themselves; there is information on oath by each person, the examination, and the prisoner's commitment, &c.; before this, if you went and took a prisoner before a magistrate, you did not pay anything; I doubt if any fee was taken. Why, therefore, if the principle was unjust, should you legalize the charges? If the fees were fixed at so much for each case, there could be no abuse; the Home-Office might have a check; I think the Home-Office the proper source for everything connected with the administration of justice. Suppose Government were to pay for the prosecutions, I would say, instead of having a county treasurer, you might have the excise-officer. In all the civil business, even in assault cases, I do not see why the clerks of the peace should not be paid in proportion to the number of cases. I object to their being paid so extravagantly as 84*l.* for one cause, and to their making up their charges for each cause of a number of items.

Q. 841. You would not object to the payment of fees, where the payment of fees does not fall on the county?—*A.* No; if they are moderate, and simple, and clear.

Q. 842. Won't it be the same if you take the fee from the defendant?—*A.* I would make them pay the clerk of the peace at once a fair remuneration. If there happens to be a great deal of quarrelling and fighting, it is fair the clerk of the peace should get a few extra pounds for that extra business: in those cases I would only fix a moderate fee.

Q. 843. The salary should be only an equivalent for such payments as he should get from the county purse, but not interfere with individuals?—*A.* Just so.

Q. 844. Don't you think that that would check the abuses?—*A.* Yes; all you have to do is to simplify the fees and charges, not to allow them to be made up of a great number of items.

Q. 845. But don't you think that the poor defendants equally require protection?—*A.* Yes; I would do that by fixing a specific fee for each case. A defendant in an assault case should pay so much, and in another case so much; the evil is, that the charges are made up of so many items, and have been contrived by the clerks, for their own advantage only.

Q. 846. Do you calculate that the effect would be to put a stop to frivolous charges?—*A.* Yes; I think it would stop those cases which are now prosecuted merely to make their adversary pay high fees of court, which is often the case in assault prosecutions.

[*The witness withdrew.*]

No. 10.

WEDNESDAY, 13th JANUARY 1836.

Joseph Hume, Esq., M.P., was examined as follows:—

No. 10.
Joseph Hume, Esq., M.P.
13th January 1836.

Q. 847. HAS your attention been directed to the subject of the county rate?—*A.* Yes, for a very considerable time, and very minutely.

Q. 848. Is there, in your opinion, any defect of principle, or any thing vicious in principle, in the present county rate, as a mode of local taxation or provincial administration?—*A.* I consider that in the formation of the Board by which the taxation is imposed; and in all its expenditure, there is essentially a vicious and erroneous principle, and that it is scarcely possible that, under such a system, a judicious assessment, or an economical expenditure, could possibly take place. I will state what appears to me to be the principle on which all taxes should be levied and expended. That those who pay the taxes should, in some degree, directly or indirectly, have a control over the amount to be raised, and also over its application. I consider that, wherever there is a want of accountability in the administrators, (whatever other expedient may be had recourse to,) the ultimate beneficial object of that taxation must fail. That, where all property is equally benefited, all property should be equally subjected to the charge; and no persons can be so well acquainted with the wants of the county, and the share of interest each person has in it, as those who are locally connected with it, and can best examine each, and exercise their discretion thereupon.

The county rates are levied by the magistrates, who are not appointed by the rate-payers, but by the Lord Lieutenant, who selects, and recommends to the Keeper of the Great Seal, whom he thinks fit for insertion in the commission of the peace. Although this ostensibly holds out a check on the part of Government, experience tells us that there is practically none; that it is the will of the Lord Lieutenant which alone regulates his selection; and, taking the example of two or three counties, to which my attention has been more particularly directed, I am led to believe that party feeling and political views have had more influence in the selection of the magistrates than their qualifications or fitness for the duties which they have to perform. Wherever we have a Lord Lieutenant of a strong political bias, it will be found that a large proportion of the magistrates also hold those peculiar opinions; and, as regards the county of Middlesex, I know that a very large proportion of the magistrates are individuals professing one particular class of political opinions. This consequently gives a tinge and bias to all their proceedings. I might exemplify this by one of the late acts of the magistracy of this county, where four individuals, appointed inspectors

of weights and measures, were all known to be of one political party. In other counties it will also be found that the influence of the Lord Lieutenant, if he chooses to exercise it, generally directs the appointment of local officers. There is one class of magistrates—clergymen—who have in general no interest in the county except a life interest, and yet reference to the returns will show that many of the county boards consist of a large majority of them; and that they assess and vote away the money of rate-payers, although having but little themselves to contribute. I could also name individuals—laymen—in the county of Middlesex, whose votes have influenced the expenditure of two or three hundred thousand pounds in the erection of asylums and other public buildings, whose interest in the county, as contributors to the rates, must be very small. It is not to be expected that the amount to be levied—whether by immediate taxation, or by loan, a burden on posterity—can receive a proper consideration from men whose interests are not involved in the result; and who are neither appointed by, nor under the check or control of, those whose property must be answerable for the whole.

With regard to pecuniary affairs, there is a want of responsibility, and also a want of sufficient time being devoted to the county business, which lead to careless, and often wasteful, expenditure. After much consideration of the various complaints connected with the disbursements of the country, during the last twenty-five years, I have come to the conclusion that no economy is so injudicious as that which intrusts to unpaid and irresponsible persons the application of public funds. The magistrates and many of the county officers come under that head; and I consider the principle so vicious that I have stated, during the Parliamentary Inquiry that has been going on respecting the county rates, that no efficient reform can be effected without a radical change in the principle and in the system.

Q. 849. Is there any thing exceptionable in the purposes to which the county funds are applied, or in the mode of application?—*A.* I will give an example of one branch of the county rates,—for instance, the highway rate,—because the attention of the Committees in Parliament has been directed to that. It was estimated by the Committee, in the year 1832-33, at about £621,504; but it is probable that sum very much underrates the actual burden on the country, although it may be the pecuniary estimate. The highway rate has been hitherto levied in two ways: by statute labour, supplied in men, horses, and carts, by the farmers; and by composition in money.

The first objection I take is that the rate is levied most unequally, no two parishes, no two properties in one parish, being assessed strictly on the same principle. In the next place, the officers appointed as surveyors to apply that labour, and expend the money received, are generally very incompetent for the duty; there is no salary attached to the office; the duty is taken by rotation from farmer to farmer, or by any other resident; and it cannot be expected that such persons should understand the scientific principles for constructing roads which have been so advantageously adopted of late. Statute labour, besides being unequal, is a kind of forced labour, or rather I should compare it to slave labour, given with reluctance, often at inconvenient times, and always ill executed. The principles of rounding and drainage, always so essential to making good roads, will be found to have been entirely neglected in the great majority of parishes; there is thus in the highway rates an inequality of assessment, a want of science, a waste of labour, and the object—namely, good roads—not secured. If there were one central board in every county or division of a county, as I shall afterwards suggest, with one competent engineer to superintend the roads generally in such county or district, we might fairly expect from these a remedy for all the above-stated evils, except that of inequality of valuation; and I will offer, in proof of the advantage of consolidation and skill, the example of the Metropolitan Road Trusts. By consolidating the eighteen trusts which existed north of the river Thames, in the county of Middlesex, one uniform system of work has been adopted; one engineer directs all the works, one board supplies all the materials, &c.; and the result has been a great improvement in all the roads, accompanied with a great reduction of the expenses, as the Parliamentary Returns show. If a similar plan were adopted in each county or division throughout England generally, there cannot be a doubt that equal advantages would be everywhere obtained.

Q. 850. How would you propose to divide and to distribute the present subject-matters of county assessment and expenditure?—*A.* Into what are strictly local taxes and what are general taxes.

Q. 851. Will you be pleased to enumerate what you consider strictly local taxes, distinguished from what you consider general taxes?—*A.* As every county contains boroughs, and each borough has its own separate jurisdiction, and pays chiefly its own expense, it is by no means easy to draw a strict line; but I think that every expenditure, strictly speaking, for local convenience, such as the improvement of the roads, the maintenance of the police, the expenses of prosecutions, the administration of justice, and the establishments to carry these into effect, ought to be borne by the parties who immediately benefit thereby; whilst all expenses incurred for prosecuting offences against the revenue laws, for counterfeiting and passing bad money, for the detention of prisoners in gaols and bridewells after trial, the charges for the conveyance of prisoners after conviction, for returns to Parliament, and every other expense in which the public generally are interested, should be a public charge, payable from the public revenue. The first-mentioned items of local expense will be found to be such as can be best kept under by strict local control; and it being the interest of the parties on the spot to keep the expenses low, the best check would be a Finance County Board, chosen by the rate-payers, for the assessment and expenditure of all rates. In the other case, where individuals have placed themselves by crime out of the pale of their immediate society, they become properly a burden on the public, every man being interested to maintain the due execution of the law; and the public, under the direction of Parliament, should, therefore, pay all these general charges.

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Q. 852. Do you include prosecutions as a public charge?—*A.* No, I do not, except as regards offences against the revenue laws and false money; because, on a careful observation, I find the expense of trials may be made heavy or light, according to the judicious orders given, and the efficiency of the officers employed on the part of the towns or counties interested to prosecute them; and, if I might allude to the evidence of Mr. Dimsdale, (which I have had an opportunity of perusing,) the expedition with which prisoners have been brought to trial by active local police-officers, and the consequent reduction of expense, as stated by him, may be taken as a very good example of the benefit I expect from leaving the expense of prosecutions as a local charge. In placing the gaols under the Crown, and all the officers and expenses connected with them at the charge of the public, I may be asked in what way the expense of county prisoners, previous to trial, should be defrayed. My view is, that, as a spur to prompt prosecution of offenders, every county should bear the expense of its own prisoners previous to trial; and those who have the direction of the prosecution would therefore take special care to avoid delay, and its consequent expense. It is upon these grounds I would make the distinction in those charges to be paid by the county and by the Crown; and every other charge must be decided on these principles. But where boroughs and counties have a joint expense, as in the trial of prisoners sent from boroughs to the county assizes, in high roads and bridges, &c., a question most undoubtedly arises, as to the proportion each would have to pay; but I see no difficulty to that proportion being fairly adjusted. Under the new Municipal Bill it is intended that each corporation shall defray its own expenses for the administration of justice, intimated by the payment of the salary of the Recorder, who is to be the local Judge. I consider that they should also each maintain their own police, and every charge peculiar and local to that borough; but wherever they shall, in common with the residents in the county, require the assistance of the public gaols, or any other service, they should then be liable to their share of the expense incurred for the common interest. On this principle I should consider that all Judges required for the county should be paid by the county, in the same manner as the Recorders are to be paid by the boroughs. In mentioning this I contemplate the establishment of local courts, somewhat on the plan alluded to in the first Report of the Board, under the title of Ambulatory Courts. I am satisfied that a reference to the present charges incurred for the maintenance of prisoners before trial, during the long intervals of five or six months between the sessions, would, if there were local courts for the speedy trial of prisoners, more than pay for a very ample judicial establishment. Take, for example, from the Report of the Select Committee of the House of Commons, the expenses of the county of Stafford for the support of prisoners in the gaols, put down at £7,108, and the expenses for prosecutions at £6,006, there would be ample funds for that purpose. If the Board would examine the immense charges hitherto incurred under the irresponsible system, and the long imprisonment of offenders before trial, they will find that, if the mode I recommend, of local courts and for speedy trials, were adopted, three-fourths of the whole expense now incurred for keeping prisoners previous to trial would be saved, and I expect that amount would be found sufficient to pay a permanent Judge and court. I would recommend the speedy trial, not simply on account of economy, but for the effect that would be produced on the general morals of the country by removing that temptation to immorality and vice which every prisoner is exposed to by a long imprisonment in gaol.

Q. 853. Would you make a distinction as to juvenile offenders?—*A.* With respect to juvenile offenders I am not prepared to draw, nor do I think it just to draw, any line. There is, in my opinion, an erroneous feeling abroad, that juvenile offenders should be treated differently from grown-up persons. Justice ought to be speedily administered to all. I will suppose the case of a labouring man, with a family, taken from his home, charged with some crime, and imprisoned, perhaps, for months before he is brought to his trial. I consider, by that delay, you inflict not only cruelty on a grown-up individual, but on his family, some of whom may in fact become, by their parent's imprisonment, and through necessity, juvenile offenders. In the delay of trial of the parent we risk the ruin of the family; and I therefore think we are as much, if not more, bound to provide a speedy trial, and to keep the grown-up free from the contamination of long imprisonment, particularly heads of families, as we are to provide against the contamination of the juvenile offenders. On these grounds I object to any distinction being made in the administration of justice to old or young; but, whenever an offence has been committed against the law of the land, the interests of the community require that justice should be equally and speedily awarded to all—to the young and to the old. Justice should also be administered with as little injury to the offending parties as possible. The present system aggravates the punishment in a twofold degree: it punishes society, which has been already injured by the individual; and it punishes the individual who has offended, more severely than the law intends. By the delay of trial, and long imprisonment, the expense to the county is also increased, and the family often become a burden on their parish, not only during the imprisonment of the head of the family, but afterwards, through his morals being ruined, or his industrious habits destroyed, by the gaol associates. The present system thus punishes all parties, without reforming any, and ought speedily to be put an end to.

Q. 854. How frequently do you think courts should be held for the trial of offenders?—*A.* An experiment has been beneficially made, in the Central Criminal Court in London, of holding twelve courts in the year; and my own opinion is that there ought not to be a county or town in England in which the criminal courts should not be held five days in the week, or at the least once a month. An objection has been made that the expense to be incurred thereby would be more than the public would bear. My answer, on mature consideration, is, that it will be good policy to pay a competent Judge for every county, or district of counties,

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according to the extent of the population; and that it would also be much less expensive to the community than the present system is. I have spoken in a pecuniary point of view; but, in a moral point of view, no man, I think, can, for one moment, differ from me as to the advantage that would accrue from speedy justice, which I consider to be the first and most important duty of Government to afford; and I also think that it is easily practicable. I will not enter into the objection I have heard made, as to how far Judges so situated in districts might be incompetent to perform their duties effectually, by not having the yearly advantages of Westminster-hall experience to guide them after leaving London; but I would call the attention of the Board to the present system, by which quarter sessions have the power of transporting, and punishing to a most serious extent; and, when I look at the Judges at these sessions, perhaps not one in ten of whom has been instructed in law, or had any experience in Westminster Hall, consisting chiefly of country gentlemen, I know not a class less fit for the multifarious and important judicial duties which are imposed upon them. I would here repeat that wealth, rank, and party politics, have heretofore been, and still are, the chief claims for introduction into the magistracy; that the power of punishment, which the magistrates have had devolved on them, has been gradually extended to serious offences, until they include a large proportion of the offences of the country. I need not observe that the very habits of education and occupation of those gentlemen render them very incompetent individuals to sit as Judges. I think, therefore, I am fully warranted in suggesting a complete and entire change in that system, as an act of justice to the community, in an economical point of view, as well as to protect the morals of the people, and to promote the best interests of the country. I submit that the choice would be very carelessly made by Government if it could not find better Judges, from the numerous members of the Bar, than the country gentlemen now make. I will say nothing of the extensive class of offences against the game laws, in which I do not consider the country gentlemen are quite impartial Judges.

Q. 855. Does it not occur to you that it is desirable to avoid that objection made by professional persons, that mere provincial lawyers would be unfit; and would the recommendation by the Commissioners of ambulatory courts prevent that?—*A.* No Judge should be allowed to reside in any district beyond three or four years, and he should take his office with the knowledge that he would be removed to another district. The courts, being ambulatory, would not give them the Westminster practice, if that is considered an objection. But I do not myself perceive that as a valid objection which has hitherto been made, provided the Judges have had a proper previous education. It occurs to me that I might give an example of medical men, generally educated at colleges and hospitals. If lawyers cannot administer justice in the country without occasional attendance in Westminster Hall, the same objection will hold as to medical men engaged in practice in the country, that they will not be informed as to any new instrument, or new remedy, or any alterations in medical practice at colleges and hospitals: but that is not the case, as the press keeps them informed in all these matters. In the case of a district Judge, also, he would have the ordinary means of reports of decisions, &c., of being informed in such matters; and his observation ought to be directed to those subjects. I think he is placed in no worse situation, in respect to precedents and practice, than the medical men are placed in throughout the country; and I believe, on examination, that the difficulty which has been dreaded in that respect within the last year or two, in the event of local courts being established, will not be found to exist more in law than in any other department of knowledge. Under no circumstances could regularly-educated and properly-selected lawyers to preside at these local courts be so ignorant, or so unfit to administer justice, as the magistrates now are, many of whom know little of the law, or its practice in the higher courts.

The payment of the clerks of the peace, and every officer required to carry into effect the assessment of taxes, prosecutions, and administration of justice, appear to me to be local charges, and to belong strictly to the county rates.

In reference to the police of the county, I entirely agree in the view Mr. Dimsdale has taken, that more economy would be effected in the prosecutions and expenses attending culprits by the preventive system being better attended to; that the present practice of having parish or high constables to do those duties has greatly failed, as they always have other employments than that of police to attend to, and have seldom time or knowledge to act efficiently; that, where they have abilities, peculiar connexion prevents them often from doing their duty to the public, from the fear of offending their immediate neighbour and acquaintance, who may be the offender, or connected with him. The appointments to, and the expense of the police should be regulated by counties, the control being with the County Finance Board and the auditors, to which I shall hereafter advert. The police force should be established on one system throughout the country, under one control and direction in each county or district, with the power of one county assisting another in cases of emergency, as is now done in districts in London, in calling, on particular occasions, when their services may be wanted, a portion of the police from east to west, or north to south, as circumstances may require. By that means a much smaller establishment would be requisite than that which has been contemplated by Mr. Dimsdale, who suggested one policeman for one thousand inhabitants. I have little doubt that by an application of the efficient system of centralization I have alluded to, under one head in each county or district, that one individual for ten thousand would be found amply sufficient, or more than requisite, throughout England. I consider that the trial made in London ought to satisfy Parliament that the same system may be extended throughout the country with great advantage; and I am confident that the objections taken with regard to expense, in the first instance, by magistrates and others in counties, would be found groundless in comparison of the benefits to be derived

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from the force, and the saving which would arise under other heads from that precautionary and preventive system. I make these suggestions under the supposition that the County Finance Board, under which the police and other establishments are to be placed, is to be chosen by the rate-payers of the county, and thus to be under proper control. In my evidence before the Commissioners, appointed to consider whether flogging in the army may be dispensed with, I have suggested a system of rewards to those men who, in the army or navy, may conduct themselves in an exemplary and regular manner; and one of the rewards suggested by me is, that every soldier who had conducted himself with propriety, and acquired habits of order, regularity, and temperance, should be eligible for being selected and promoted to the police, and to the different offices in the gaols and bridewells, and all those situations in which order and regularity, and firmness, are required. I have offered that recommendation from what I find to be the case on many parts of the Continent, where the most efficient keepers of gaols are those who have been non-commissioned and subaltern officers in the army; the soldiers were the best turnkeys. Men who have acquired habits of regularity, of order, and obedience, have, in their conduct and temper, a manner which often does more in preserving obedience than acts of severity. As an example of that I may state what came to my knowledge in visiting Vilvorde prison, in Belgium, last year, where there were 940 or 950 felons; the greater number had been condemned to death, but were kept at hard labour of various kinds under the management of the governor, who had been an officer in the army. I observed that there was not a chain on any one of the prisoners, and I was informed that there was only one in the *cachot*, or solitary cell, and he was there for a second or third offence of gambling. The governor informed me that where rules were laid down, and it was known that they would be strictly enforced, he had little occasion to use severity; and that, from his experience of many years in several public situations in the army, the same result had followed the same line of conduct. I, therefore, agree with the suggestion of Mr. Dimsdale, that soldiers of good character, and tried habits of order, would be fit men to be employed. I think each county in England has now an opportunity of getting from the police establishment in London fit men as inspectors and policemen; and it would be an excellent mode of rewarding the best men employed in London, that they should be selected and sent out for such situations in the country; and, knowing the system, they would be able to act in concert and in communication with the head departments, when necessary, to detect criminals. I need not state perhaps to this Board that it has been found, within the last twelve months, in correcting the few disturbances which have taken place from mistaken people opposing the enforcement of the provisions of the Poor-law Amendment Act, that one policeman or one inspector, with three or four policemen, have been found more useful in quieting the disturbance than the whole local power which could be called out, and better also than soldiers would be. In consequence of that experience I would suggest that the whole of the counties should have a small well-regulated police force, as they could have the advantage of getting excellent men having the habits and knowing the rules of the central office, and able to put the whole into operation, by which means there would be an uniformity of system, and a greater facility in preventing and in detecting crimes, and in preserving the peace. If the experience of Mr. Dimsdale is to be my guide, the expense of the police force would not be objected to when weighed with the improved security and order which would be secured from this service. I was lately a member of a Select Committee to inquire into the expenditure of the London police, and I may state that the management of the clothing, every regulation respecting expense, and the orderly conduct of the men, were approved of. If the police establishment, I have mentioned, were established in counties the expense of constables would be saved; and, taking into account their pay during the prosecution and imprisonment of offenders, and the delay in bringing before the magistrate, and to trial, occasioned by their ignorance of the forms of proceeding, it will be found that the money now expended for such purposes would more than support the establishment which I consider would be efficient. One observation appears very essential whilst recommending the police, that they should not be inhabitants of the district, in order to avoid one of the great vices of the county establishment, namely, that all county officers are men belonging to the district, and generally individuals who have been appointed or promoted to their situations for other reasons than for their efficiency.

Another item of expense—shire-halls, and all public buildings—should be at the expense of the county, and under the control of the County Finance Board.

The Commissioners will see, in examining the county expenses, that a considerable proportion of them is incurred by the removal of prisoners backwards and forwards, from place to place, to attend trial, and before the passing of the sentence. I cannot allude to a stronger instance than what the Commissioners have mentioned in their first Report in the county of Sussex, where an individual was removed for trial backwards and forwards, between Lewes, to Horsham, &c., more than 100 miles, when he ought, under a proper system, to have been tried upon the spot; and it must be observed that it is not only the expense of the prisoner's travelling that is incurred, but also that of the individuals to attend him, and an establishment kept up for that purpose.

Another important head is that of poor-rates, and I am asked what I would do with the county asylums. The annual reports of the asylums and public prisons in Ireland might, perhaps, afford the Commissioners some information on that head. For a number of years there have been inspectors of prisons in Ireland, who visit and make annual reports on each prison: and by that means an uniform system has been introduced, and, although all the advantages contemplated have not been obtained, yet I think much advantage would be gained by extending such an uniform system of inspection and reporting to England and Scotland.

I would leave the poor-rates as they now are, under the Poor-law Commissioners; and I would add to them the charge of all the county asylums, placing them entirely under the local

and central Poor-law Commissioners. It may be found that local Acts exist for the government of some of those establishments—that sums of money and lands have been left at different times by private individuals towards their support: but they are supported chiefly by the rate-payers. The same reasons, which would induce me to take from the irresponsible magistrates the management of other finance matters, would lead me immediately to take these asylums also. Whatever the Acts for their management may be, they should be placed under the direction of the Poor-law Commissioners in the same manner as the poor-law establishments are, as they appear to me part and parcel of the same matter for their attention and superintendence.

Q. 856. Do you allude to lunatic asylums or places for punishments?—*A.* To lunatic asylums only. I think that gaols and penitentiaries ought to be under the Crown for the reasons I have already stated. I am also asked whether the poor-rates should be collected as part of, or separate from, the other county rates. In the unions that are now taking place it will be found, I believe, that parishes from different counties are sometimes included in the same unions, and that arrangement into districts will throw considerable difficulty in the poor-rates being included in a general county assessment. I am, therefore, disposed to say that the rates for the county asylums, poor-house establishments, and all other local expenses, should be placed under one County Finance Board, and that a classification of all the expenses, connected with the poor, and every other expense in the county, might be made by that board on the principle I have already suggested.

With respect to bridges and roads there ought to be a distinction drawn; and I think a local Finance Board could best make that distinction between the expense to be incurred on parish and strictly local roads, and the expense to be incurred for bridges and roads for the general convenience of the country. Undoubtedly that would require considerable discretion to be exercised by the county board as to the distinction to be made; but I am quite clear that the advantages arising from consolidation, derived by us in the metropolis, might with equal propriety and with equal advantage be extended to the roads in every county. There is an expense for police purposes that hitherto has been paid under a different head, and which appears in county charges often to a large amount, namely, special constables attending elections. In some counties from three hundred to five hundred pounds have been charged for constables to keep the peace during that time. I have endeavoured to estimate what would be the relative expense of a permanent system of police as compared with the expenses attendant on employing special constables at times of election or at any temporary disturbance; and I am satisfied that many of the counties now pay for constables, in various ways, considerably more than they would have to pay under the system of police I contemplate. I would add one advantage, that, at a county town during an election, instead of swearing in special constables from the population of the place, the police establishment from the skirts of the county might be drawn into the county town, or to the polling places where their services were wanted, and less than one-fourth, or one-tenth of the police, so established, would do more towards preserving the peace than special constables sworn in on the spur of the occasion. At present the hiring of special constables at many elections is also a kind of bribery, and the establishing of a police force would put an end to that bad practice.

Q. 857. How would you provide for matters, according to your classification, of public charge, viz., gaols, great direct roads between principal towns, bridges, and revenue prosecutions?—*A.* I have answered the greater part of that question by stating that all general gaols, bridewells, and penitentiaries, expenses of conveying prisoners after conviction, prosecutions for offences against the revenue laws, the coinage, &c., should be paid by, and under the direction of, the Crown; that cities and towns may keep their own prisoners for safe custody, subject to visitation and inspection by the proper parties; that bridges, roads, prosecutions, police, parish schools, &c. might all be included in county, or local expenditure; that the County Board should have the appointment of all their own officers, including the clerk of the peace, who is now appointed by the Lord Lieutenant, and cannot be removed by the magistrates, whatever fault they may find with him, without trouble and annoyance which virtually render him a fixture; that the practice of allowing clerks of the peace to act by deputy should be put an end to in every future arrangement that may take place. Although I cannot, without tedious detail, give an exact statement of the different items of county expenditure, and how I would class them, yet I see no difficulty in the County Finance Board, when once established, drawing a proper line, provided the Legislature shall establish the principle.

Q. 858. How would you raise and administer the local taxes?—*A.* Having objected to the present system for its irresponsibility, I would suggest an entire change, by giving the power to the rate-payers in the county to control the county rates and county expenditure by persons chosen by themselves, in the same manner as the rate-payers in cities and boroughs now have the power to choose their councillors by the Act of last session; the persons so elected by the rate-payers in counties to form a County Finance Board, to continue for a period of four or five years. I do not see any difficulty in provision being made by Act of Parliament that the rate-payers in districts should elect representatives to be members of that board. In March last I submitted to the vestry of the parish of St. Marylebone, of which I am a member, the propriety of appointing a committee of the vestry to inquire into the amount and expenditure of the county rates, and to see whether any and what suggestions could be offered for the reduction of the amount, and for the better control of the expenditure of the same. A committee was appointed, and I have brought a copy of their report, at the end of which there is the outline of a legislative measure, which they recommend, for establishing a permanent county board, and a board of auditors, for the levying, managing, and auditing of the county rate. I will hand in a copy of that report, the substance of which was stated to Parliament in a petition presented last

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session; but I think there will be no difficulty in making a more efficient board, if Parliament should adopt the principle therein recommended.

[*The same was delivered in.*]

I should propose, therefore, that the management of the finance of the county should be entirely taken from the magistracy, and placed under a board; that that board, to consist of from twelve to twenty members, according to the population and amount of rates, should be elected by every inhabitant in the county or district who had paid one year's county rates. I consider it unnecessary to have a very numerous one; that that board should be elected periodically, and every man, who has the privilege of electing, should, as was intended in the Municipal Bill first introduced to Parliament, be eligible to be elected one of the board, trusting, as experience tells me, with great safety, to the judgment of the electors for choosing fit and proper men: that the county should be divided, for the purpose of that election, into districts or divisions, according to the population; whether one for every 10,000, or one for every 20,000, would be matter for future consideration. That board should be renewed either one-third or one-fourth annually; that, where vacancies took place in the representation for any district, these should be filled up by elections whenever the decrease of the number reduced the board more than one-fourth, or on some scale to be fixed upon, as is now done in the councils in boroughs. This board should have their place of meeting in the largest and most central market-town of the county; they should meet at regular periods in each year, and should sit daily until the business before them was completed. They should have a regular estimate, of all the wants of the county for the year, before they agreed to any assessment. They should have the accounts properly audited, not as they are done in counties, hastily, and by a few members of their own body, in open court, or otherwise, taking one or two days at the utmost for that purpose; but they should be audited by auditors, not members of the finance board, but elected at the same time as the members of that board by the rate-payers. Their reports should be quarterly, and be brought regularly under the consideration of the full board, at their quarterly or half-yearly meeting, for final audit; but every report should be made in the first place to the permanent committee hereafter mentioned. I should propose a permanent committee, as an executive council, for carrying into effect all the orders of the board, when it is not sitting, and to have power to meet from time to time, to go from place to place, individually or jointly, as the case might require; that the general board should appoint for that purpose four or five of the most efficient of their own members, and the county should, if necessary, pay them salaries, and for travelling and other expenses. If the accounts were also properly entered, under specific heads, by the auditors, there would be considerable advantage in comparing them for a series of years. In the Middlesex county account before me, the annual payments made by the treasurer are shown: but it shows them only as paid from day to day. It does not arrange, for example, the salaries—the expenses for clergymen—for surgeons and medical supplies—the expenses for food and necessaries supplied to the prison;—it does not classify these items, and then give an abstract, to enable us to check, comparatively, one item, or one quarter with another, or with similar charges in other establishments. A person is compelled to analyze the account himself, in order to understand the items of expenditure under each head; and the consequence must be a great want of check, and, consequently, of economy. I am satisfied that by that arrangement, when the different items of expenditure are properly classified, it will be quite impossible to sanction such different rates of pay for the same kind of services; for example, I find some of the chaplains receive £250 to £400 a-year, out of the county rates, for attending occasionally at the gaol, whereas the very same magistrates, if they had to fix and pay the salary of a clergyman, out of their own pockets, to do the duty of their own parish, containing thrice the number of individuals which a prison does, would not award him half these amounts; nor does Lord Harrowby's Act sanction such large salaries. I am confident that it will be generally found, when the accounts are examined, that there is, strictly speaking, little check or control; and I would refer to the evidence of Sir C. Smith and Mr. Dimsdale, who give examples of the reductions which have been obtained by not taking the ordinary audit during the sitting of the magistrates; but, by having a separate committee appointed to inquire into, and examine the disbursements. I am quite sure that under such check more than half the expenses now paid for salaries, and what we call the county services, could be saved, and the business better done than it is under the present system. If the board want any evidence of what has been done, and what may be done, by such a change in the system of public expenditure and control, as I recommend to be adopted, they have only to call for the proceedings of the vestry of St. George's, Hanover Square, or of Marylebone, where they will see what has been the difference of expense under a vestry chosen by the rate-payers, and a self-elected vestry. Marylebone parish consists of 130,000 inhabitants, and every rate-payer, of whatever amount, has a vote in electing the members of the vestry. One-third of the vestry is elected every three years, and the result has been a reduction of expenditure from £150,000 a-year to £83,000 a-year in the course of four years. Mr. Leslie, in his report of the proceedings of the vestry in St. George's, Hanover Square, gives the following result:—the assessment on every £100, in the year 1831, under the self-elected vestry, was £26. 0*s.* 10*d.*; the amount levied in the year ending in March 1834, under the reformed vestry, and under proper audit, was £9. 11*s.* 8*d.* on every £100. The whole expenditure of that parish has, therefore, under a responsible vestry, been reduced two-thirds in the short space of four years. The same result may be fairly expected in most, I will not say in all parishes, if placed under the same judicious control, because there are now some well-conducted parishes where the system we want to see established actually exists, and where good management and economy prevail.

Q. 859. Would you make the elections by the rate-payers compulsory?—*A.* Yes; but

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where the parishioners have the election of their own officers, I would not interfere with them; it is only where vestries have peculiar Acts, giving the vestry powers not consistent with the general interests of the rate-payers, that I would propose to interfere. I think all such self-elected vestries ought to be removed.

Q. 860. Would you place the final sanction of the expenditure in the Board?—*A.* Yes; the accounts, being first audited by the responsible auditors, will next have the examination of the permanent committee, and then of the general Board, which, having all the accounts in detail before them, will be better able to exercise proper discretion and control than can, by the present plan, be done. Instead of a clerk of the peace appointed by the Lord Lieutenant, who is virtually irresponsible, the County Finance Board should have the power of appointing an accountant, or clerk, responsible for the details to the Board, and removable by the general Board, but only on complaint of the executive committee. It would follow from this that all receipts and disbursements, having been first examined, with the vouchers, by the auditors, and next examined by the permanent committee, will be submitted to the approval of the Finance Board, and afterwards be open to every rate-payer for such time as might be necessary for their examination, free of all expense. As an additional check, and for the security and satisfaction of the rate-payers, every member of the Board dissenting from any vote or proceeding, should be entitled to have his dissent entered on the minutes, that it may be seen, if an inquiry afterwards takes place, what has been the state of the votes. The sittings of that Finance Board should be open, as the sittings of the county courts are now directed by the late Act of Parliament to be, except on special occasions, at the request of one-third of the members present, when it shall be considered by them that any special matters may be better conducted in private, but open, always, for the insertion on the minutes of any protest from the members against secrecy. In order to leave as much as possible an equality of influence, I would give to the chairman, on every question, only a single vote; and, if the votes were equal, the motion should be lost. Every item of expense incurred for the county would be thus well examined, and audited in the manner I have stated, and give the best security we could have that no more would be levied than the absolute wants of the county require should be expended. Much difficulty exists, attended with great expense and loss of time, with respect to Bills for bridges, roads, water companies, and a variety of county purposes now required to be sanctioned by Parliament. If that County Board were once established I should recommend the withdrawing from Parliament a great deal, if not all, of that kind of local business which only regards the interests of the county, and which, after taking up the time of Parliament which should be otherwise engaged, is but badly conducted where it is. Where a road, canal, or bridge run into two or more counties, I would then have the County Boards of those counties to meet and settle the matter. In order to prevent any hasty proceedings of that Finance Board being injurious to what may be considered the general interests of the community, all proceedings of importance should be reported to Government, and His Majesty ought, through his Secretary of State, to have power to suspend any proceeding of that kind until it should be properly reconsidered. It will be seen that, if that system be adopted, there will be in each county a responsible Board appointed by the rate-payers, those most interested in the good management of its affairs, and accompanied with all necessary cautions against mismanagement; and it would be, in fact, bringing up to public business, in every county, a class of men that do not now exist, who might in time be looked to by counties to become members of the Legislature, after acquiring, by previous education in districts, a degree of knowledge essential, as far as my own experience goes, for the good conduct of much of the general business of the country; and by the want of such men many egregious blunders have been made in local legislation. The time of members and of Parliament would not then be taken up with private business; but their undivided time might be devoted to national objects. It must be evident that, by the present system, county business must be very badly performed, as it is at the pleasure of the magistrate to attend or not, as he pleases; and it often occurs that the business is adjourned from meeting to meeting, and the same individuals who attended at the first discussion do not attend at the second meeting; consequently much time is lost, and the public have not the advantage of mature consideration of those measures, which they would always have under the system of a County Board which I propose.

Q. 861. Do you propose those should be paid officers?—*A.* The select committee of four or five should be paid; not the others.

Q. 862. Do you include the travelling expenses, in addition to salary?—*A.* Yes, where it shall be necessary. I consider that the committee, by visiting a district where a matter of dispute exists, may probably settle it, and the expense thereby incurred be but a mere trifle compared to the delay, litigation, and trouble which might otherwise be occasioned.

Q. 863. You propose that the whole financial concerns of the county should be taken from the magistrates, and lodged in this responsible Board?—*A.* Yes: and with regard to the magisterial duties required by Act of Parliament, in the raising of rates and assessments, &c., I propose that all these shall be appointed in the same manner as by the new Municipal Reform Bill is provided for cities and towns. The council of these places have the power of recommending certain individuals, to be approved of by His Majesty, as magistrates within their local jurisdictions; and I see no reason why the same principle should not be extended to counties, as no system can, in my opinion, be worse than the present. I submit that it is but reasonable to expect that twenty gentlemen appointed to form the County Finance Board, as they would be by the rate-payers of the county, might be fairly trusted to name to His Majesty the few persons on whom might be conferred the magisterial powers required by them to carry into execution the measures which would be necessary in counties, and I think it is important that those magistrates should be appointed only for a limited number of years;

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and, where attendance cannot be given, that they should be removed. I may further observe, that I can see little advantage to the cause of justice by the large number of magistrates who now occasionally attend the bench at sessions.

Q. 864. The financial and judicial functions being taken away, this plan would involve the abolition, in effect, of the court of quarter sessions?—*A.* It would, if the local courts were established; and as there is very great convenience in towns where the mayor or other magistrates sit daily, at one place, to receive complaints and order commitments, I think it is apparent, from Mr. Dimsdale's evidence, that the want of some such magistrate at particular places in districts in counties is a great inconvenience, and obliges persons often to run about from place to place for a magistrate to take an examination, thereby losing time and incurring expense unnecessarily, and, perhaps, at times defeat the objects of justice. I question whether, if the matter were narrowly examined, the expense has not been greater than would be incurred if salary-paid officers were appointed within particular limits, leaving it, however, to the County Board to determine whether they should be paid, or not, according to the particular circumstances of the county.

Q. 865. Do you not consider that the inspectors of prisons being appointed by a late Act of Parliament takes that subject from the consideration of this Board?—*A.* I should say not. All I have suggested would be in furtherance of the system contemplated by that Act, that nothing in the way of information should be withheld from the officers appointed by Government to inspect the gaols; and it is upon that very ground I would place all the gaols under the Crown, as I think great oppression may sometimes be inflicted in local jurisdictions, against which it is the duty of Government to provide.

Q. 866. Besides the objections which have been made to the general principle of the county rate, that it loses sight of the principle of self-control and establishes a taxation without representation, are you aware of any objections to its assessment, collection, appropriation, or audit? and first to the assessment?—*A.* I have already stated, in addition to the want of check and control, that the assessments are unequal. I would refer the Board to Parliamentary Paper No. 599, of 1833, purporting to show the principle of assessment for the metropolitan police rate. That document will show the great inequality which exists in this and the adjacent counties in the scale of taxation or rating. The parish of Acton, for example, is rated at two-thirds of the rackrent; Battersea at full; New Brentford at three-fourths; and Christ Church at two-thirds of the rackrent. Clerkenwell is rated at something less than rackrent; Fulham at five-sixths; Greenwich and Paddington at four-fifths; Penge at 2*s.* 6*d.* in the pound; Poplar at seven-tenths; Putney between three-fourths and seven-eighths; and Ratcliffe at seven-eighths of the rackrent. Another valuation exists in St. Anne's, Limehouse, where small houses are rated at two-thirds, and large houses at four-fifths of the rackrent; St. Anne's, Westminster, two-fifths, and St. Mary Stratford, Bow, seven-eighths. There are other varieties; but I think these examples will sufficiently show that there is no uniform principle on which the rating has been established.

Q. 867. Is there, in your opinion, any one uniform principle upon which the county rate could be assessed instead of being framed as at present upon several different principles, as sometimes the property tax, sometimes actual value, or different proportions thereof ascertained, sometimes by actual rents, sometimes by estimate; will you point out the best mode in which you think new valuations can be made, founded on your knowledge of the course of proceeding in France or the Netherlands?—*A.* I have no hesitation in saying that all county rates should be levied on one uniform principle, namely, its value, estimated in rent, or what it is fairly worth, and would produce if let; that valuation should be made periodically, every ten or fifteen years, or oftener, if necessary, and should be made by officers not interested in the decision of the amounts. In France the whole country has been valued, and assessments are made accordingly. The same in Belgium, where the "Cadastre" has been taken. The mode of proceeding is, I understand, simple: in each parish, or division, a surveyor or officer is appointed, who summons a jury of three or more of the best instructed persons in the value of property in the district, who examine each field as to its quality and decide upon its value. I have before me the Act, No. 46, of the Belgian Chamber, 1835-6, showing the exact value of the lands in each of the eight provinces, divided into arable, pasture, and woodlands: the valuation is made of each field, and the amount of each canton in each province is stated, and the taxes are levied on their values accordingly. I was informed of instances where a single field had been divided into five different values, the first being that which was the most fertile and paid the highest rent, and the other four kinds valued according to their productiveness. The system established in that country answers, as I was informed, exceedingly well, though not without complaints in some places of inequality of valuation. I believe that the several qualities or kinds of land, and their values, might be ascertained equally well in this country. After the jury, or valuators, have determined the class or quality of the land and the value in rent, they affix their decision on the church door, or some public place, where it is allowed to be posted for fourteen days. A copy is also sent, I believe, to each of the parties whose property has been valued, that he may know what value has been put upon it, and by these means the proprietor and the community at large are informed of the value. If either of these have reason to think that there has been partiality in the surveyor and the jury, as compared with the value of other properties in the district, they attend the jury afterwards and state their objections to the assessment, or suggest alterations for their consideration. The effect of that has been, that the assessment or rating has become extremely simple, it becomes a per-centage on the value, and that per-centage can be increased or lessened on all the five, or more kinds of land, from 1 to 20 per cent., as the case may require. The valuation thus made has been the ground on

which the public tax on land has been raised; and the Board may have observed that the last Act of the Belgian Parliament diminished the tax 10 per cent. on what it had been the year before; and in a previous year it met the expenses of threatened hostilities by raising it 10 per cent. The value being once fairly established, the rate is equal on all property for 1, or for 50 per cent., and little inconvenience, as I understand, has taken place. The injustice which we find in this country, from the uncertainty and inequality of valuation, is there in a great measure avoided. Belgium is, in an especial manner, a self-governed country, where every community, town, county, manages its own pecuniary affairs by officers, annually or periodically elected by the inhabitants; and I may state that I had great difficulty, before I went to Belgium, to comprehend how that country, which had been so often overrun with troops and subjected to heavy exactions and changes, should be now like a garden, and with fewer destitute poor than any other country I have visited. I attribute their great economy and good management chiefly to the interest each man in each community takes in its own affairs, and in the control thus established, whether it regards the poor or the gaols. The Maison des Forces, at Ghent, supports itself by the labour of the prisoners; and several pauper establishments, one in each of the eight provinces, are supported on the lowest possible scale. Wages are low, provisions are by no means cheap, and yet there appears a degree of comfort and of good moral conduct not to be met with in Great Britain or Ireland. I attribute these results, as I have stated, in a great degree, to that interest taken by the people in their own affairs, and to the example of economy set by the Government in every department. The only uniform principle that I can suggest for raising the county rates must be founded on the general valuation which I have recommended being made. A difficulty arises, which certainly forms part of the subject, how personal property and furniture should be assessed, or how far it should be assessed at all? My recollection does not serve me what is the case in Belgium; but my own individual opinion is, that it should not be assessed; and the reason I would offer is, that whenever an individual has an income of fifty or a hundred pounds, or more, it will generally be found that his establishment bears some kind of proportion. There are, certainly, individuals possessed of very large incomes arising from trade or public funds, whose establishments are very limited; but, if it is a loss to the county rate to want that contribution, I conceive the accumulation going on, by adding to the capital of society, is beneficial, and I would not, therefore, on any account tax personal property. I will mention a case where personal property is assessed, and I consider it to be attended with great oppression. The legacy tax, though originally intended to be levied equally on personal and on real property, in the same manner in England and Scotland, is not levied on land in either country; and on personal property, unequally. In Scotland every article, to the value of an old night-cap, is put down in the inventory, and pays a duty to the state; but not so in England, where a loose assessment is given in. With regard to the management of commune or district taxation and expenditure in Belgium, I will hand in an outline of a Bill now in progress for improving the Belgian system; and I shall be able in a short time to supply the Commissioners with the report of a committee on that subject, and also with the amended Bill now in progress in that country, from which I think the Board will derive considerable information as to the principle of the Bill, and the enactments required to carry that principle into effect. When in France I attended one of the county or department councils; and, to the best of my recollection, that Board is formed as it is in the Netherlands, though not so popular; and, therefore I did not trouble myself much about the details.

Q. 868. Is the machinery employed to assess or collect the county rate cumbrous and expensive, or does it work well?—*A.* I have not much practical knowledge on that subject; but, after what I have stated, it is impossible to suppose it works well generally.

Q. 869. Is the application of the fund, when raised, judicious and skilful? is it conducted by practical and experienced persons in a business-like way?—*A.* I should say certainly not. I have already stated that the appointments in counties are generally political, that the officers are usually overpaid, and that the persons appointed are often ill-qualified for the duties of their office. If anything was wanted to prove the necessity of a change, and of more efficient control, the management of the poor's rates, until the passing of the late Bill, is a pretty good specimen of the carelessness and mismanagement which generally exist. Mr. Dimsdale states that the lowest constable in the parish can scarcely be kept from jobbing in the simple process of conveying a person to gaol. From the highest to the lowest person employed, I consider the whole county expenditure a system of jobbing, in political influence or in money, —and often in both.

Q. 870. Is there any efficient audit or due control over the expenditure?—*A.* There can be no efficient audit, in my opinion, when the accounts are examined, generally on the bench, once a-year, and are hurried over in one day, or in a few hours of a day; the accounts can only be properly checked by the appointment of auditors, as I have submitted in a former answer, with time and power to examine vouchers and persons if necessary; and by their being under the efficient control of a Finance Board.

Q. 871. Do you concur in opinion with those who think that the connexion or identity of the county rate with the poor's rate should be dissolved, as confining the assessment to local, visible property; or do you think, with others, it should be drawn closer, and the machinery of the poor laws used for the county rate?—*A.* I do not see how the county expenses and the poor expenses can be raised in one rate, or paid from the same fund. The new system of unions may embrace parishes in different counties, with great disproportions of poor, and I do not see how the rates can be collected in any way but individually, if the charge is to be according to the local poor, or wants.

I think that all property in land, houses, manufactures, and mills should be assessed to the

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poor, but not personal property. I am against taxing the funds, which are only part of our own debts; and, by every act sanctioning loans, they are exempted by a special clause. It cannot, therefore, be done without a violation of the national faith, which, I am quite confident, Parliament will never authorize.

Q. 872. How would you proceed to reduce the expenses of prosecutions; would you call in the aid of Government?—*A.* No. I have already stated my opinion. I entirely agree with Mr. Dimsdale and the other evidence which I have seen, that a speedy or dilatory prosecution may be the result of a proper or improper control over the county officers employed; and, in that view, all prosecutions, whether in corporations or in the county, against local offenders should be borne by local taxes, or, in other words, that all persons before trial should be at the expense of the county, in order that the officers and parties interested might use due diligence to prevent delay in the proceedings, which will scarcely be the case if Government are to pay expenses incurred by county officers.

Q. 873. How would you reduce the charges for the conveyance of prisoners?—*A.* If county courts are established for local trials, and for speedy trials, the expense for conveyance before trial will be very small. For the conveyance of prisoners after trial, the public, on the principle I have laid down, ought to defray them. I believe arrangements might be made by contract by the Government for the transmission of convicts from every part of the country, at a much smaller rate than individual counties or communities could do; there would thus be a diminution of charge, whether paid by the counties or the Crown.

Q. 874. You would get rid of the charge of conveyance before trial by the plan you suggest of speedy trials?—Yes, and local courts.

Q. 875. How would you reduce the expense of the maintenance of prisoners?—*A.* The principal part of the expense of maintenance appears to be from the long detention of prisoners before trial. On my plan of having a court every week, or oftener, the accumulation of prisoners would not take place; and that appears to me by much the best way in which the expense for maintenance can be reduced.

Q. 876. Might not a great deal more be done for the prevention and detection of crime?—*A.* Certainly. I have already proposed that a small regular police force should be established in every county, with fixed salaries—that there should be no constables or unpaid officers in the parish, except on emergencies, when every man may be called upon to preserve the peace. Crime is generated very greatly, in my opinion, through the negligence or connivance of the present system, and by the long detention and want of classification in gaols. The community thus suffer more, by the robberies and violation of the law against property and persons, than any expense which such well-organized police force would occasion. I would also, as a sure means of prevention, recommend the establishment of education generally in every parish, as it is in the New England states, where, if a town consists of more than 50 houses, they have a school. I consider that the establishment of schools in every parish, or district of parishes where parishes are small, would be amongst the best means of preventing crime and of economizing expense.

Q. 877. Might not the criminal justice of the country, as regards offences less than capital, be more economically, and not less satisfactorily, administered?—*A.* It is administered now in a most unsatisfactory manner, for offences of a very trifling nature are now very often punished by months of confinement before trial, and the prisoners, whether innocent or guilty when they enter prison, too often become capable of committing any offence by the time they leave the prison. The only remedy for that is a speedy and local trial.

Q. 878. Do you think it desirable that thefts under a certain value, if not offenders under a given age, should be tried by magistrates only, or by magistrates and a reduced jury in a summary way; or that they should continue to have a regular trial, according to established forms of law, such law being more promptly administered?—*A.* The answers I have already given will show the Board that I am against the present extensive discretionary summary and almost irresponsible power which the magistrates have gradually obtained. I see no reason why a thief who takes 5*s.* or he who takes £50 should be differently treated. Justice demands that the poor man's shilling should be protected as well as the rich man's hundreds; and I cannot understand on what principle a different mode of administration of justice should be applied solely on account of the amount, or on account of the age of the offender; nor will any distinction, in my opinion, become necessary if local and permanent courts for speedy trials be established. I may here mention what appears to be a grievance connected with minor offences—that, although the Judge at the present moment, in reference to many of the existing laws, may see reason, and though the jury may have sufficient cause for mitigating the penalties incurred, the Judge has no power in many cases of withholding the sentence which must render the individual infamous. In Scotland a different mode, both to the culprits and to the community, exists. A man is simply banished; and, provided he leaves the country within a certain time, (and he may go where he pleases,) he is no longer punished. By that means many individuals (who, if they had been condemned agreeably to our existing law, would have been declared infamous, and be subjected to the punishment of transportation) are placed in a situation to make amends for their offences, and to leave their country without that stigma or mark upon them which often prevents reformation. We fix unnecessarily the stigma in our courts, and afterwards endeavour to remove its effects. If facilities were afforded to persons whose offences were light to go to our colonies as free labourers, without the stigma and mark of felony, but under that of banishment, many of them might become useful members of society; and such proceeding would very much remove the difficulties which exist at present in getting rid of bad characters, and would also benefit the individuals, by preventing a repetition of offence, so often witnessed.

Q. 879. You would take off the attainder on condition of the banishment?—*A.* Yes. If

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the man does not go in a limited time, let him then be transported; but if he goes away on being banished he is not irremediably stained, and may become a useful citizen elsewhere, instead of continuing a degraded and perhaps vicious man.

Q. 880. Do you think the expenses might be reduced by any abolition or consolidation of offices, or by a different mode of appointment of officers?—*A.* I have partly answered this question already; but if the Board will examine the details of county expenses, as well as those in the returns before the select committee of the House of Commons on county rates, and also those before the committee on election expenses, they will find many extravagant salaries and absurd charges; and if I may again allude to the benefit from a careful audit and a responsible Board, such as I would propose the County Finance Board to be, I think the example of the reduction of nearly half the parish rates and expenses already made in those parishes where the election of the vestry has been by the whole of the rate-payers, instead of the self-elected vestries, (as in Marylebone and St. George's,) establishes in my mind, without any possibility of doubt, the advantage which would be derived by the establishment of the County Board for the attainment of all the objects which the public are desirous to effect.

Q. 881. Do you think payment by salaries preferable to payment by fees?—*A.* The subject of fees is a very important one, as it becomes, under the present system, both to public offices and local Boards, a very considerable portion of the expense. In examining the different accounts, I find that the increase which has taken place in the county rates depends in a great degree on the fees having been allowed to grow up. I cannot see anything more objectionable than that a Board should lay a tax on the proceedings of its own servants for doing its own business. I consider that all public duties which can be defined, and which are required for the interests of the community, should be paid by fixed salary, and that no fees should be allowed. The collection of fees by those who receive salaries is an abuse, and is only a continuation of that system for paying public services which existed before salaries were established. On the principle, therefore, on which fixed salaries were established, the fees ought to have been discontinued in every instance. The Legislature have made several attempts of late years to put an end to fees, and the abuses attending their receipt; but have hitherto failed by not taking a general view, and acting in every case on principle. For example, in the Custom House and in other departments they determined that all fees should be abolished as regards the officers themselves; but they allowed certain fees to be received, and to be brought to account of the public—in my opinion, a contradiction in principle. The taking of fees tends always in some degree to clog the business of every office; and I would recommend that, whatever duties are to be performed, the public authorities authorizing those duties should fix the necessary salaries, and prohibit all fees being taken. The magistrates have allowed most of the charges and fees to grow up in counties literally without the regular sanction of the board of magistrates, and the reasons must be obvious. The clerks of the peace and other officers being generally favourites and partisans of the Lord Lieutenants and magistrates, their charges and fees have been winked at, whether acting professionally for the county or otherwise; and, until that system of favouritism and irresponsibility is abolished, I see no hopes of reducing effectually the heavy expenses in counties which are complained of. I may mention that Sir James Graham, when first Lord of the Admiralty, about three years ago, in consequence of representations made to him by me and others of the inconsistency of levying fees in any department from the public servants of the Crown, in performing the public duties of the Crown, abolished the whole of the fees received in the Admiralty. And so strongly do I feel the necessity of that being done in all public departments, that it is my intention to move an early inquiry in the House of Commons into the amount of fees paid in the several public offices, with a view of recommending the receipt of them being discontinued. I do so because Mr. Burke recommended a great many fees as regarded individual offices to be abolished, but he regulated and continued them as regarded the public. Many new fees have since that time been allowed to be taken, as I think improperly. We now have fees regulated by Act of Parliament, and fees not regulated. With the opinions I entertain, and on the principle I have stated, I would abolish all fees, as I cannot conceive anything more monstrous than that of the King appointing a governor, for instance, to a colony, with a salary of £800 or £1,000, and directing that that governor shall, before he can obtain his commission, pay from £100 to £400. In the same manner all situations to which the Crown appoints, as the Chancellor of the Exchequer, the Secretary at War, &c., have large fees to pay for their appointment. If we look at the manner in which those fees generally are applied, it will be found that they are in a great degree wasted on improper objects. As in Government offices, so would I have it in county offices; all fees should be abolished. There is, I know, an opinion entertained by a great many persons, that if you make law cheap or business easy, by abolishing fees, you will encourage litigation and increase labour. I think there is an error in both those cases; and the only check to litigation which I conceive necessary is, that the discretion of the Judge should award against any party the expenses of the trial, if carried on from improper motives; and that, I think, would be found as good a check as can be provided against that practice. And, as regards business in public offices, all that ought to be done should be done cheaply and quickly.

Q. 882. Have you any observations to make respecting the militia, lunatic asylums, and other items of county expense?—*A.* With regard to the militia, I consider the charge for them altogether unnecessary, and that it should cease. The circumstances under which the militia was established no longer exist; the jealousy that required Parliament to have a check on the Crown in having their own constitutional force, has gone by; and we see, virtually, no distinction except in forms; the Crown alike commanding the militia and the regular troops, though by different means; the check, therefore, intended on regal power is no longer necessary, and the force should no longer be kept up. The estimate for the regular army is

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No. 10.
Joseph Hume, Esq., M.P.
13th January 1836.

submitted by the King, that for the militia by the Secretary of State and a select committee of the House; the distinction is not now required. I consider that great abuses have existed, and very heavy charges have fallen on the county rates, by the existence of the militia; and I feel confident that Parliament must ere long put an end to that force.

With regard to lunatic asylums I have already stated that I would place them under, what appears to me, the best jurisdiction, the Poor Law Commissioners. Of the other items of county expense, which are multifarious, two-thirds of them would be struck off, or greatly reduced, by a proper Finance Board.

Q. 883. Do you approve of the Commissioners' plan of ambulatory courts?—*A.* If by ambulatory courts it is intended to express county or district courts, having their established head quarters in the principal city, but moving, at stated times, to the large and populous towns in each county or district, there to hold the court for trial of prisoners, I entirely concur. There was an Act passed some years ago for Scotland, giving the power of an ambulatory county court to a certain extent; and it would be well to apply to the Lord Advocate to know what has been done, and how far it has answered the expectations then entertained. I know the sheriff depute holds in some, if not in all counties, his court at different places within his county on different days, and I believe that that has been attended with very beneficial effects. In short, it is carrying the administration of justice even further than county courts would do. It is adding to the county court the advantage of more speedy and more local jurisdiction, by which the expense of carrying witnesses from town to town is avoided. On the whole I see no difficulty at the present moment in carrying into effect those recommendations suggested in the first report of this commission. I see no difficulty in adopting those of Mr. Dimsdale in regard to the police, and I think Sir Cullen Smith's observations, in the main, are those with which I accord, though I differ as to placing the other expenditure of the county in the hands of the Poor Rate Commissioners. The districts now establishing by the unions, formed under the Poor Law Act, might be very available divisions for a County Finance Board to be appointed by; but I should object to placing any other branch of expenditure than that which the Poor Law Commissioners now have under their management, with the lunatic asylums only added. The establishments under the Poor Law Commissioners are going on with all the ardour of novelty, but the time may not be far distant when perhaps it may be found necessary to depute two or more members of the County Finance Board to take the place of, or to assist, the guardians of the poor. An amendment might be made to the Poor Law Act, after the establishment of a County Finance Board, by making it a portion of the duty of the County Finance Board to select members of their own body to act as assistant guardians along with the individuals now appointed by separate electors. I only throw this out to show that, so far from the measures suggested by me being against the existing poor laws, they would be in furtherance of them.

Q. 884. Do you know what the present proportion of the county rate in Middlesex is to the actual annual value?—*A.* By the parliamentary paper No. 207, of 1831, purporting to be "Moneys demanded, received, and expended for the purpose of the Metropolis Police," the rental of the county is put down at £6,145,436. The amount of the county rate in the year ending the 4th of April 1835, was £67,802, or about 1½ per cent.; but I conceive that no fair estimate of the county taxation, as compared with the actual rental, can be ascertained, until an uniform valuation is made in each parish; and, also, that no taxation can be fairly levied, nor economically expended, until a proper control is established by such a Board as I have mentioned. I would also observe, with reference to the powers hitherto exercised by the Lord Lieutenants in appointing the magistrates, that the circumstances of the country are so entirely altered that we cannot longer permit the power of the Lord Lieutenants, and of the magistrates appointed by them, to continue, without gross injustice to the counties. In the view I take, that the magistrates ought to be responsible to the rate-payers, and appointed in harmony with the majority of them, I might give examples connected with the administration of the affairs of this county which would show that the majority of the rate-payers, if we take the number of electors as our guide, are Reformers, whilst the majority of the magistrates are Tories; and, as party spirit runs high, it appears to me that injustice is done to the reforming part of the community by giving and continuing authority to the Tories which may be exercised for party purposes, or which individuals may fancy is so exercised against them; for, whether there exists mal-administration or not, parties thus misrepresented will fancy that it is so; and it is neither just, nor to be expected, that the inhabitants of counties will submit for any length of time to have their pecuniary affairs managed by men over whom they have no control, whilst the inhabitants of all cities and towns have men of their own selection and choice to conduct their corporation affairs.

(*The witness withdrew.*)

No. 11.

MARCH 1836.

J. Barneby, Esq., M. P., examined.

No. 11.

J. Barneby, Esq.

Q. 885. Are you chairman of the quarter sessions for the county of Hereford?—*A.* I am.

Q. 886. Do you wish to make any observations upon subjects connected with the county rate?—*A.* Yes: first, as regards the clerk of the peace; I feel strong objections to his acting by *deputy*. I hope that subject will engage the attention of the Commissioners, and that

they will recommend that no person shall be appointed to the office who will not execute the duties in person except in time of illness, when a deputy might be appointed under the sanction of the Lord Lieutenant or of the visiting magistrates. I hope the fees of this officer will also undergo revision, if he is to continue to be paid by fees; but I think he should be paid by salary. I object strongly to the fees of the marshals, and of the Judges' officers, and the court fees being thrown upon the county rate. The fees of officers concerned in, or connected with, the administration of justice should, I think, be thrown upon the general revenue of the country. More extended powers are required to enable the magistrates to provide for the expenses incurred by constables and by the parties themselves in cases of unsuccessful search, or of insufficient evidence, where there is not enough proof to commit the accused to take his trial.

Q. 887. Have you directed your attention at all to the subject of crime and prosecutions, (after all, the principal cause of increased expenditure?)—*A.* Yes; and I agree with you in thinking that the true remedy is *speedy trial*. I approve of the intermediate sessions, that is to say, of holding a court of general sessions every six weeks, but I mean the court of sessions as at present constituted. I do not concur as to the ambulatory court or stipendiary judges for counties.

Q. 888. Do you think a regular chairman and sufficient magistrates could be expected to attend a court of general sessions sitting every six weeks for the trial of prisoners?—*A.* Yes, I do, and to try prisoners very satisfactorily; and this scheme I think would meet the evil. I do not approve of the notion of trying prisoners at petty sessions, but of the plan of giving them regular and speedy trial. As regards the attendance of magistrates, I think there should be a regulation, that it should not be permitted to any magistrate to give his vote respecting the appointment to any office or place at the same quarter sessions at which he shall qualify to act as a magistrate, or at any other quarter sessions, unless he shall have attended there once within the preceding twelve months.

No. 12.

24th February 1836.

J. O. Jones, Esq., Deputy Clerk of Assize, Norfolk Circuit.

Q. 889. You are deputy clerk of assize of the Norfolk circuit?—*A.* I am so.

Q. 890. How long have you executed the duties of that office?—*A.* From the summer of 1830; but I have been upon the circuit since the year 1817.

Q. 891. Who are the officers upon that circuit? of what does the Judge's staff consist?—*A.* Of the deputy clerk of assize, associate, and clerk of indictments, and the two marshals.

Q. 892. Is there no clerk of arraigns?—*A.* There is no clerk of arraigns.

Q. 893. Are you paid by salary, or fees?—*A.* I take half the profits of the circuit. Those profits arise entirely from fees; but the remuneration is now in the nature of salary, the office being compensated.

[*A paper was shown to the witness.*]

Q. 894. Is that a copy of the return you sent to the commissioners of compensation of the fees received upon the Norfolk circuit?—*A.* Yes; I believe it to be a correct copy.

Q. 895. Were the origin and authority of those fees, and the appropriation of them, stated to the compensation commissioners?—*A.* I believe so; Mr. Edgell attended to it.

Q. 896. Do you continue to receive the disallowed fees?—*A.* No.

Q. 897. Do the gratuities continue to be received?—*A.* Such as are offered.

Q. 898. Is it a part of your duty to tax the costs in each prosecution, and to make an order upon the county treasurer for the amount?—*A.* It is.

Q. 899. Is the taxation of costs a disagreeable duty, and one occupying a great deal of time?—*A.* It occupies, with us, a great portion of the time of the day.

Q. 900. Does it engage the officer in the evening, after court-hours?—*A.* No; being done in court while the case itself, or the next case, is going on.

Q. 901. Do you execute this duty while you are at the same time performing the functions of the clerk of arraigns?—*A.* Yes; while I am acting as clerk of arraigns, after the first day. The first day I am much engaged in examining the indictments.

Q. 902. Can you form an estimate what portion of your time, during an assize, is taken up by the taxing of bills of costs?—*A.* About one-third; I should think not more.

Q. 903. Is not the duty of taxation more troublesome than difficult?—*A.* More troublesome than difficult, certainly. But it requires, I think, sometimes, a knowledge of the course of allowance by the masters in the common law courts.

Q. 904. Does not *that* refer exclusively to the allowance to attorney and counsel for preparing the brief, and the fees with it?—*A.* It applies to the fee to counsel and to the attorney for preparing the brief and serving the subpœna. There is no allowance whatever to the attorney for attendance on the Norfolk circuit.

Q. 905. Proceeding on a fixed scale, are not the allowances to witnesses invariably the same?—*A.* It proceeds upon a scale which is almost invariable; the Judge himself making any change.

Q. 906. Is the reward for search and apprehension, which is given by the Judge, governed by any fixed rule?—*A.* The granting such reward upon the Norfolk circuit is now of very rare occurrence: I allow every constable the same as the fixed county allowance,—5*s.* a day.

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I allow his other charges on a lower scale—viz., on that fixed for attendance before the examining magistrate.

Q. 907. Do you require an affidavit of his having actually incurred those expenses?—*A.* No; I consider that if I did it would be a mere voluntary affidavit; but he is generally examined in court, as a sworn witness, to his pursuit of the prisoner.

Q. 908. There being no fixed rule or scale, might not one Judge give £20, where another would give £5?—*A.* It is a very trifling matter upon the Norfolk circuit; perhaps not exceeding £12 a circuit upon an average of late years.

Q. 909. With respect to the magistrate's certificate for the expenses of attending before the examining magistrate, what check have you over that?—*A.* None.

Q. 910. If there be in the county a scale of allowance for the expenses of witnesses attending before the committing magistrate, do you know that?—*A.* The magistrate is supposed to attend to that.

Q. 911. But have you no power of seeing that he does?—*A.* We have no means of knowing whether these charges are conformed to.

Q. 912. If there is a table of fees for the magistrate's clerk, can you tell whether those fees only are allowed in the certificate?—*A.* No; we consider we cannot inquire into his charges, since the certificate was established. But, before the 7th Geo. IV., the clerk of assize did tax the magistrate's clerk's bill, and often took off items.

Q. 913. Do you not think further check and control is required over the magistrate's certificate?—*A.* Yes, certainly.

Q. 914. Do not the magistrates in some counties on your circuit certify a gross sum as the expenses incurred, without any enumeration of particulars?—*A.* In some counties. In Huntingdon generally so.

Q. 915. Does not the certificate sometimes contain the expenses of search and apprehension, and, if so, how do you deal with it?—*A.* It sometimes does; and then I take it off, and put it in a certificate for the order on the sheriff.

Q. 916. When the expenses are certified to amount to a gross sum, how can you tell whether the cost of apprehension is inserted in it or not?—*A.* In such cases I cannot tell of what it consists.

Q. 917. Do you think you can check the number of witnesses who attend at the trial at the assizes?—*A.* Yes; I think they are sufficiently checked.

Q. 918. What is the allowance for time per day?—*A.* Five shillings.

Q. 919. Do you think that a fair and reasonable compensation?—*A.* I think it is; we allow nothing for the night. To medical men we allow £2. 2*s.*, and no mileage: to an attorney, if a material witness, £1. 1*s.* and mileage.

Q. 920. What is the mileage?—*A.* Ninepence a mile each way; sixpence, where ten miles and under.

Q. 921. Is not that too much? might not a profit be made of it?—*A.* I think it is too much.

Q. 922. Do you allow the expenses of all witnesses bound over to attend, and subpœnaed?—*A.* Of all bound over. If the attorney wishes to put upon the bill another witness, I inquire if it is to prove anything material. I do not, as a general rule, allow the expenses of any witnesses but what are put upon the bill; but a witness may be called during the case, to prove some magistrate's signature or other matter, and would be allowed.

Q. 923. If in tracing stolen property three or four constables are called to prove it passed from hand to hand, are all allowed?—*A.* Yes; if bound over to attend the trial.

Q. 924. As you depend upon the information of the attorney and parties, may you not be deceived as to the time and distance in allowing prosecutors' and witnesses' expenses?—*A.* From long experience I know the distances of places pretty well, and the time they are in town.

Q. 925. Would not the clerk of the peace, from his local knowledge, and having more time to investigate the details, be able to tax the costs better than the clerk of assize?—*A.* I think he would as well, but not better.

Q. 926. Do you see any difficulty in the transfer of the duties to the clerk of the peace?—*A.* It would be a relief to the clerk of assize.

Q. 927. If the fees paid out of the county rate were abolished, should the fees payable by defendants in misdemeanours remain?—*A.* The fees on recognizances; traverse fees and fees on acquittal are much complained of. But acquittal fees are paid on the civil side, and in revenue cases.

Q. 928. Have they only been abolished where they could be thrown upon the county rate?—*A.* They are still paid by the party in the cases I have mentioned, and where a defendant is not in custody. Acquittal and traverse fees are hateful; but the clerk of assize cannot relinquish them now they belong to the State.

No. 13.

24th February 1836.

William Collisson, Esq., Deputy Clerk of Assize, Midland Circuit, was called in and examined as follows:

No. 13.
W. Collisson, Esq.

Q. 929. You are deputy clerk of assize of the midland circuit?—*A.* Yes.

Q. 930. How long have you performed the duties of deputy clerk of assize on this circuit?

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W. Collisson, Esq.
24th February 1836.

—*A.* I went my first circuit as clerk of indictments in Lent 1827, but my appointment as deputy clerk of assize was in 1831.

Q. 931. Are you paid for the service by salary or fees?—*A.* By salary. I receive fees, and, after retaining my salary each circuit, I pay the balance to my principal. I have received £200 each circuit.

[*A paper was shown to the witness.*]

Q. 932. Is that a copy of the return you sent to the compensation commissioners of the fees received upon the midland circuit?—*A.* Yes, this is a copy of my fees given to the compensation commissioners.

Q. 933. Were the origin and authority of those fees and the appropriation of them stated to the compensation commissioners?—*A.* They were.

Q. 934. Do you continue to receive the disallowed fees?—*A.* I ceased to receive the disallowed fees from the time I received the commissioners' certificate of the fees allowed.

Q. 935. Do the gratuities continue to be received?—*A.* They do.

Q. 936. Is it a part of your duty to tax the costs in each prosecution, and to make an order upon the county treasurer for the amount?—*A.* It is; the clerk of indictments taxes the costs, and sends the orders into court to me to be allowed and signed. The deputy clerk of assize, associate, and clerk of indictments on the midland circuit do all the business.

Q. 937. Is the taxation of costs a troublesome duty, and one occupying a great deal of time?—*A.* It occupies a very considerable portion of time, and, when clerk of indictments, I was frequently engaged in it several hours after all the rest of the circuit have been in bed.

Q. 938. Can the clerk of indictments render much assistance in taxing costs during the early part of the assizes?—*A.* The clerk of indictments can seldom tax costs on the first day of an assize, and, if at all, a very small number.

Q. 939. Can you form an estimate what portion of your time during an assize is taken up by the taxing of bills of costs; at Warwick, for instance?—*A.* Birmingham takes two days, and the remaining part of the county takes an equal or longer time; the reason of which is, that the Birmingham attorneys come prepared with their bills of the county allowance ready made out, with all the particulars systematically arranged. The average duration of assizes at Warwick is six days, though I have known them last a fortnight. The taxation of a single prosecution for murder will sometimes occupy an entire morning.

Q. 940. Is not the duty of taxation more troublesome than difficult?—*A.* Certainly; since, owing to the circumstance of there being a fixed scale of costs, little discretion is allowed to the taxing officer.

Q. 941. Is not the chief question what to allow for fees of counsel?—*A.* It is.

Q. 942. Is the reward which is given by the Judge for search and apprehension governed by any fixed scale?—*A.* It is given upon the merits of the affidavits produced, and not upon any fixed scale. I calculate the constable's allowance for the number of days by the county scale, to which I add the sum sworn to have been actually expended, unless it appears exorbitant; in which case I draw the attention of the Judge to the circumstance.

Q. 943. Do you always require affidavits of the sums actually expended?—*A.* Invariably; except in the case where the witness, being already sworn, is examined to the fact in court.

Q. 944. What are its general limits?—*A.* From £5 to £10; but different Judges will make allowances upon a very different scale; and I have often known constables complain that others with the same or inferior merit and services have received a larger reward.

Q. 945. With respect to the magistrate's certificate for the expenses of attending before the examining magistrate, what check have you over that?—*A.* I have no check over the sums certified by the committing magistrate.

Q. 946. Do you know the number of witnesses who attend before the examining magistrate, or the scale of allowance for them?—*A.* No; I have not the slightest check as to the number of witnesses or their allowance.

Q. 947. Is it the same with the fees of the magistrates' clerks?—*A.* Yes.

Q. 948. If there be a scale laid down for witnesses' allowance and clerks' fees, must it not be intended that the justice should conform to it?—*A.* Surely; I should think so.

Q. 949. But you have no power of seeing that he does?—*A.* No.

Q. 950. Do you consider that some check and control over the magistrate's certificate is required?—*A.* Yes; very much needed.

Q. 951. Will you have the goodness to state your reasons?—*A.* Magistrates' certificates have been brought to me on the circuit, amounting to more than the entire costs of the prosecutor and witnesses at the assize town.

Q. 952. Are they not frequently brought to you, certifying the expenses to amount to a sum in gross?—*A.* Yes, frequently; almost generally in the county of Northampton.

Q. 953. Do you sometimes find the expenses of search and apprehension included in the certificate?—*A.* Sometimes I do.

Q. 954. When you perceive the expenses certified to include the costs of search and apprehension, do you refuse to allow them?—*A.* Yes; I disallow the certificate.

Q. 955. When a gross sum is certified as the expense incurred, have you any means of ascertaining whether that includes the expense of search and apprehension?—*A.* No.

Q. 956. Have you any reason to believe that it sometimes is so included?—*A.* From the amount I certainly conceive that it sometimes is.

Q. 957. With respect to the expenses of prosecutors and witnesses attending the court upon a trial, do you act upon the rate of allowance in the county?—*A.* I do, invariably.

Q. 958. What check have you as to the number of witnesses charged?—*A.* I am able to check the number of witnesses; first, by the book of the clerk of indictments, and, secondly, by the indorsements on the bill. I allow for all the witnesses bound over to prosecute, or

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W. Collisson, Esq.
16th February 1836.

who are subpœnaed. The attorney has to produce his witnesses at the taxation; and, though unnecessary witnesses are brought, yet I can form no judgment of their materiality, and am obliged to allow them, unless there is a special order to the contrary. In cases relating to the custody of things stolen, I have known, for instance, where the only thing lost was a pair of stockings, which had gone through the hands of three constables.

Q. 959. Do you think that in that case the expenses of all those witnesses were allowed?—*A.* Yes; all three constables were allowed their costs.

Q. 960. Who furnishes the account of time and distance?—*A.* The attorney. I have some check upon the time charged for, but it is in the power of the attorney, if ill-disposed, to make misrepresentations with respect to the distance. In Northamptonshire, where the witness is allowed an extra day's expenses for every ten miles travelled, a misrepresentation of this kind would have the effect of giving another day.

Q. 961. Does the rate of allowance for the mileage vary on the midland circuit?—*A.* It does vary.

Q. 962. What would be a fair compensation for time, if there were one uniform allowance?—*A.* I think 5*s.* a day a fair allowance to a witness for his stay in the assize town. A fair allowance for mileage can scarcely be made, I think. In Lincolnshire there is great difficulty in taxing costs, as mileage will not apply there. The witnesses come partly by land and partly by water, and therefore they are allowed for the actual number of days they are absent from home, together with the actual expenses out of pocket. When they reside at a distance of twenty miles from the court, they are allowed for the commission day.

Q. 963. Do you not think that such matters are best left to residents with local knowledge?—*A.* Certainly I do.

Q. 964. What orders do you make upon the treasurer?—*A.* One for the prosecutor, and one for witnesses.

Q. 965. Is it not for a sum in gross?—*A.* My order for the prosecutor specifies merely the gross sum. The order for witnesses specifies their number and names, with the sums paid to each, but contains no account of the days they are detained, or the distances they come from.

Q. 966. Is there any clerk of arraigns on the midland circuit, or by whom are the duties performed?—*A.* The associate acts in that capacity when two criminal courts are sitting; when only one criminal court is sitting, I perform the whole of the court duties.

Q. 967. What officers have you then upon that circuit?—*A.* There are but three officers, the deputy clerk of assize, the associate, and the clerk of indictments. They, among themselves, perform the duties of the clerk of arraigns.

Q. 968. What do fees arising on taxation of costs on the midland circuit on an average produce?—*A.* From £60 to £65.

Q. 969. What is paid in respect of the additional duties cast upon the other officers?—*A.* The associate has £10. 10*s.* a circuit, for acting as clerk of arraigns.

Q. 970. Is the clerk of indictments in the commission?—*A.* Yes; always on the midland circuit.

Q. 971. Do you think that the clerk of the peace would be better able to check the bills for the expenses of prosecutions, he having more time, and local knowledge of distances?—*A.* I certainly think the clerk of the peace possesses advantages in this respect.

Q. 972. Would there be any difficulty in the clerk of the peace relieving the clerk of assize from the taxation of costs?—*A.* Not if he attended at the assizes, and knew all that passed in court.

Q. 973. Do you carry round the indictments and depositions, and have you ever found them required by the Judges?—Yes, I have frequently.

Q. 974. Is there any advantage in having the records with you in London when the circuit is over?—*A.* Yes; I am often called on for certificates of former convictions and records of acquittals, &c., and there is decided convenience in having them in London.

Q. 975. Do you think that generally more is paid for the expense of a prosecution than is allowed by the county?—*A.* Generally, I do *not* think that more is paid than the county allowance.

Q. 976. Have not prosecutors sometimes extra costs to pay?—*A.* More is paid sometimes, but it is generally by associations, or where a prosecutor employs his own professional man.

Q. 977. If the fees payable out of the county rates were abolished, should the fees paid by individuals continue as at present?—*A.* You would leave the most objectionable part. Traverse fees are seldom paid now, and will not long be paid at all. A defendant in a respectable station of life has been heard to say, "I will rather go into the dock than pay those fees." The acquittal fee is paid by the county when the defendant is in custody; by himself when he is at large.

It is a most painful situation in which the officer is now placed. He cannot remit fees where it is a hard case, or the party is in indigent circumstances, as he formerly did, for the fees no longer belong to him.

No. 14.

Tuesday, 16th February, 1836.

John Bayley, Esq., was called in and examined as follows:—

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Q. 978. You are clerk of assize of the northern circuit?—*A.* I am.

Q. 979. Do you perform the duties in person or by deputy?—*A.* In person, and with the

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assistance of deputies. It is impossible to perform the whole of the offices belonging to the clerk of assize in person, because they require your attendance in different places at the same time.

Q. 980. What are the deputies with whose assistance you perform the duties?—*A.* With the assistance of a clerk of indictments, who acts as deputy clerk of assize when I am not at York. All the records being kept there makes my circuit differ from any of the others, because upon the other circuits the records are kept in town; mine are kept at York, the county finding accommodation for them, and offices for the clerk of assize. The clerk of indictments acts as deputy clerk of assize at other times than the assize time; then I have an associate, and a clerk of arraigns at York.

Q. 981. Is it only at York that you have a clerk of arraigns?—*A.* Only at York; my associate's business is almost entirely confined to the civil court at other places than York; the clerk of indictments and myself do the business in the Crown court.

Q. 982. You discharge the duties usually performed by the clerk of arraigns everywhere except at York?—*A.* Yes; I or my clerk of indictments.

Q. 983. Are you paid for your services by salary or by fees?—*A.* I should say by fees; there is no salary, unless the compensation from the Treasury may be called salary.

Q. 984. You receive compensation under the fee commission lately appointed?—*A.* Yes.

Q. 985. You are paid by fees, and when they are deficient it is made up by compensation?—*A.* The deficiency (if any) is made up by Government; and if the fees should exceed the compensation I should have to account to the Treasury for the excess.

Q. 986. What are the counties embraced in your circuit?—*A.* Yorkshire, the city of York, Northumberland, Newcastle-upon-Tyne, Cumberland, and Westmoreland.

Q. 987. You have nothing to do with Lancashire?—*A.* Nothing to do with Lancaster, Liverpool, or Durham.

[*A paper was shown to the witness.*]

Q. 988. Is that a table of fees receivable upon the northern circuit?—*A.* Yes; this is the return I made, and it is correct, with the exception of the fees that are disallowed.

Q. 989. Was the origin and authority of those fees stated before the compensation commissioners?—*A.* Certainly, as far as I know.

Q. 990. And the appropriation of them?—*A.* Yes; they are all accounted for to me; and out of the fees or out of my own pocket I pay the different officers.

Q. 991. That was all stated before the compensation commissioners?—*A.* Yes.

Q. 992. You have stated that you do not continue to receive the disallowed fees; do you take the gratuities?—*A.* Yes.

Q. 993. Is it a part of your duty to tax the costs on each prosecution, and to make out an order for payment upon the county treasurer?—*A.* It is.

Q. 994. Is that a troublesome duty, and does it occupy much time?—*A.* A very troublesome one, and a very unpleasant one.

Q. 995. Is there much discretion exercised, or does it proceed upon a settled scale?—*A.* There is some discretion, but there is a settled scale; for instance, in heavy cases where there are many witnesses the prosecutor's attorney frequently comes to know whether you will allow him two counsel or three counsel, and what fee you will allow for each; and there was an instance, in 1832, when Mr. Justice James Parke went the circuit, when there was a heavy prosecution against a person for swindling, in which the Judge directed that the prosecutor should be allowed costs upon the most liberal scale. There is a scale which is adhered to as nearly as possible in all cases.

Q. 996. But the Judge sometimes exercises a discretion in exceeding that scale?—*A.* He did in that instance.

Q. 997. Does he ever exercise a discretion in reducing the costs?—*A.* Never in reducing them; he sometimes refuses costs altogether. For instance, if witnesses are out of the way when they ought to be there, or if they conduct themselves improperly, he will desire that such and such witnesses shall have no allowance.

Q. 998. In the case of a reward for search and apprehension does the allowance for these services proceed upon any fixed scale?—*A.* There is no reward unless it is ordered by the Judge, and then whatever the Judge orders is allowed, but the costs of apprehension we tax.

Q. 999. Do you proceed upon a fixed scale?—*A.* Yes, as nearly as possible.

Q. 1000. Who have laid down that scale?—*A.* I think the magistrates themselves in Yorkshire.

Q. 1001. It appears that sometimes as low as two pounds are allowed, and sometimes as high as five?—*A.* Frequently more; as much as eight or ten. We allow so much for mileage for the distance the parties have to travel.

Q. 1002. Would you be guided by the same rule as to that allowance as in the other case, of witnesses attending the trial where it is laid down by the magistrates?—*A.* Precisely; there is no fixed scale for those particular costs, but we adopt the other scale.

Q. 1003. Are there not rewards given in certain cases for apprehension?—*A.* Very seldom; the Judge now and then orders a party to have a reward, but very seldom; there was none allowed upon the last circuit that I recollect.

Q. 1004. When you receive the magistrate's certificate of the expense of attending before the examining magistrate, do you inquire in that case whether there is any rate of allowance in the county for that attendance?—*A.* They have laid down a scale in Yorkshire for witnesses attending trials, and we check the Yorkshire allowances by that scale, and we adopt that in the other counties.

Q. 1005. Do you check the magistrate's certificate by that scale?—*A.* Yes; and frequently

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disallow what he allows; the magistrate frequently allows what we think ought not to be allowed.

Q. 1006. Have you any means of checking the number of witnesses that appear before the magistrate?—*A.* None whatever.

Q. 1007. You have no means of checking those allowances except so far as they appear upon the face of the certificate?—*A.* None; the magistrates frequently certify in the expenses of the proceedings before them, the expenses of apprehension, and the costs for unsuccessful searches for instance; these of course will be taxed off, and the former allowed under a separate order on the sheriffs, and the latter disallowed *in toto*.

Q. 1008. The certificate also contains the fees of the magistrate's clerk; do you check those?—*A.* We allow those.

Q. 1009. Without examination?—*A.* We have no means of examining them; we take the magistrate's certificate for that.

Q. 1010. You do not inquire whether they have any table of fees for the magistrate's clerk in that county?—*A.* We know nothing about that; the magistrate's certificate is conclusive that those charges have been allowed by the magistrate. As to witnesses it shows expenses have been incurred; but whether they are to be allowed again out of the county rate the clerk of assize exercises his discretion. For instance, if they allow what I think is too much for witnesses I disallow it. But whatever the magistrate certifies for his clerk's fees we take to be conclusive.

Q. 1011. Is there no scale which determines the fees of the magistrate's clerk?—*A.* I know of none. I consider the magistrate's certificate to be enough for that.

Q. 1012. So that, in point of fact, you have no check over what is allowed by the magistrate for his clerk's fees, and you have no check over the number of witnesses, but the only check you have is upon the rate of allowance for attendance?—*A.* That is all.

Q. 1013. As to the expenses of prosecutors and witnesses attending the court upon a trial, how far do you act upon any fixed rate of allowance in that respect?—*A.* There is a regular scale of allowance, which was handed to me when I first entered the office, as having been settled by the magistrates.

Q. 1014. When was that?—*A.* I was appointed in 1829, and it had then been settled some eight or ten years, and the notice at the foot of the printed bill of costs shows the rate of allowance in every instance.

Q. 1015. You act upon them in all ordinary cases, and the Judge only varies them in extraordinary instances?—*A.* Yes.

Q. 1016. With respect to that allowance, do not you give an order on the county treasurer for the sum in gross?—*A.* Yes.

Q. 1017. You say, John Styles so much, but you do not state the time of his attendance?—*A.* Not in the order. The order I make is this: Suppose there are four witnesses; it says, Pay to the prosecutor A. B. £14. 8*s.*, to C. D. £2. 8*s.* 6*d.*, to E. D. £2. 8*s.* 6*d.*, to G. H. £1. 8*s.* 6*d.*; and then it is put in the margin, A. B., prosecutor, so much, and so on; and then it is added up at the side, in the margin, thus—

	£	*s.*	*d.*
A. B., prosecutor - - - - -	14	8	0
C. D. - - - - - - -	2	8	6
E. D. - - - - - - -	2	8	6
G. H. - - - - - - -	1	8	6
	£20	13	6

Q. 1018. That is what goes to the county treasurer?—*A.* Yes.

Q. 1019. He does not see the number of days for which the witness is allowed, or the number of miles?—*A.* No; he sees nothing but my order upon him, and how much is to be paid to each party.

Q. 1020. Which he regards as equally conclusive as you do the magistrate's certificate?—*A.* No, he regards it as more conclusive.

Q. 1021. You proceed yourself upon a bill which the attorney brings you?—*A.* We have printed bills of costs, and the attorney comes and says he wants printed bills of costs; and then he takes two, and makes out one for himself and one for me to keep; then I tax one, and keep the one I tax, and he takes away the other. Then, according to the amount I tax, I make out an order upon the treasurer of the county.

Q. 1022. You, by being present in court, see the witnesses actually called, and have that check upon them?—*A.* No; I am not always in court, and if I were I think it impossible to exercise any check of that kind.

Q. 1023. Does the clerk of indictments see the witnesses when he prepares the indictment?—*A.* If he draws it, but in heavy cases they are generally drawn by the counsel, and then he does not see any of the witnesses.

Q. 1024. Then their going before the grand jury, does not *that* secure some check?—*A.* Their names are indorsed upon the back of the indictment, and sent into court, and the crier swears them, and he puts at the bottom, under their names, the number of witnesses sworn in court, and his name; thus—"7 witnesses sworn in court. T. B., Crier."

Q. 1025. Do you look at that certificate of his when you tax the costs?—*A.* No; but I think it would be better to do it. It would, however, create delay.

Q. 1026. What check have you as to the number of miles the witnesses come?—*A.* We take that upon the statement of the attorney. He states the names of the different places from which the witnesses come, and then, if we do not know the distance which such place is from

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the assize town, a memorandum showing the different distances, which is kept in the office, is referred to. I do not see how anybody could otherwise check *that*.

Q. 1027. Supposing the clerk of the peace had no other business except to investigate each of those cases, could not he check it?—*A.* I think, from his local knowledge, he in all probability could do it infinitely better than the clerk of assize; and I think a much better check upon the allowances of costs might be kept by the clerk of the peace, or any other officer attending for that express purpose.

Q. 1028. From his local knowledge he would know something more about the mileage and the distances they come?—*A.* Yes; and he would know the character of the attorneys a great deal better; he would know whom he could depend upon and whom he could not.

Q. 1029. What portion of your time is taken up in the taxing and allowance of bills of costs?—*A.* Taking York for instance, I should say that the first four days I scarcely tax a bill, I am so fully occupied in preparing indictments and settling them; and then the principal part of my time, after the grand jury is discharged, for the rest of the fortnight, is occupied in taxing bills. The whole of my time, or my clerk of indictments' time, and often both of us, is spent in taxing bills, often to a late hour.

Q. 1030. That, you say, is after the grand jury have been discharged?—*A.* The grand jury are discharged generally on the Thursday in the first week. In heavy assizes they have been kept till Saturday.

Q. 1031. As soon as the grand jury are discharged the rest of the time of yourself and officers on the criminal side is taken up in taxing bills, with the exception of the clerk of arraigns?—*A.* Yes; the clerk of arraigns scarcely ever does anything of that kind in court. Then again in the evening, after the court is over, we are all at work in taxing bills, sometimes till 10 or 11 o'clock at night.

Q. 1032. What is the allowance for time and mileage upon the northern circuit?—*A.* Fourpence a mile each way, and 7*s.* 6*d.* a day for ordinary people; half a guinea a day for chief constables; a guinea a day for professional gentlemen.

Q. 1033. And for persons that belong to no profession,—that are gentlemen?—*A.* They would only have their 7*s.* 6*d.*

Q. 1034. That is the allowance for Yorkshire, and you apply it to the other counties upon the circuit?—*A.* Yes.

Q. 1035. Is not 7*s.* 6*d.* a day a liberal allowance?—*A.* I doubt whether it does not cost the parties more, unless they collect at the small inns in the town, for every thing is extremely dear there; lodgings, for instance, that they are glad to let for 15*s.* or £1 a week at other times, you cannot get under three guineas a week at the assizes. I have heard it stated as a matter of complaint by attorneys that their witnesses have cost them more than the allowance.

Q. 1036. You think it is not made a profit of?—*A.* No; except by the innkeepers.

Q. 1037. What counsel do you allow, and in what cases?—*A.* Counsel are allowed in the northern circuit in all cases. If there are three witnesses, and it is a common case, we only allow one. If it is a manslaughter case, or a cutting and maiming case, or any thing where you have scientific men to examine, you allow two, although there are not five witnesses; if there are five witnesses, the rule is to allow two counsel if they are employed.

Q. 1038. What fees do you allow?—*A.* We allow pretty much what is charged, unless it is considered exorbitant; sometimes they give the leading counsel four guineas, and the junior two; and sometimes the senior three, and the junior one; and this is the usual rate of allowance, but sometimes it is more.

Q. 1039. What is your opinion as to the allowance of counsel as it affects the dispatch of business?—*A.* I think it facilitates it very much, particularly of late years. Many of the Judges have stopped counsel from making any opening speech; they will let a young man perhaps make one speech, but they will not let him do it a second time. I think it would be unfair to the Judge if there were no counsel. The Judge would have to take the whole on himself. If no counsel were employed the length of the assizes would be materially increased, and with it the charge on the county rate.

Q. 1040. Do you never allow more than fourpence a mile without an express application to the Judge?—*A.* Never; and he never orders it: I never knew of such an application.

Q. 1041. The table by which you are governed, of fourpence a mile and of 7*s.* 6*d.*, does not appear to have been framed by the magistrates and approved by two Judges. Do you mean to say so?—*A.* I think it was. I think the return I sent to the commissioners lately specified who the Judges were that allowed it, and I think it specified the year when that was done.

Q. 1042. Do you think the allowance of expenses could be put upon a better footing? for example, that the table of fees shall be drawn up by the magistrates and sanctioned by some superior authority, that that scale should be the rule, and the Judge's interference in extraordinary cases should be the exception?—*A.* I do not think it can be on a much better footing than being prepared by the magistrates, provided it is approved by the Judges, which I understand ours to be.

Q. 1043. Are you aware that the allowances are much higher at the assizes than at sessions?—*A.* No; I know nothing about sessions.

Q. 1044. In order to produce uniformity of fees in the different counties, might it not be desirable that the sanction should be given by the Secretary of State?—*A.* I think it would, but it would be better to have it under Act of Parliament.

Q. 1045. Do you think the allowance should be to the full amount of expenses reasonably incurred in every prosecution?—*A.* Certainly.

Q. 1046. Do you think it always reaches that amount?—*A.* No; in the case to which I alluded, where Mr. Justice James Parke ordered the costs to be taxed on a most liberal scale, the prose-

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cutor lost about half; he was paid £800; and it cost him about £1,500; but I think on some circuits it does pay. I had to prosecute a man some years ago at Abingdon, and I did not apply for my costs, but the Judge ordered me to have my costs; and the costs which I was allowed by the county paid my expenses.

Q. 1047. Do you know whether the fees are higher upon that circuit than upon the northern circuit?—*A.* I do not know; I was not clerk of the assize then.

Q. 1048. It appears that the average expense of a prosecution is much greater in the West Riding than anywhere else. Do you attribute the particular expense of trials at York to the circumstance that the assizes last so long there?—*A.* Yes; and to having only one grand jury. I think if they were to divide their criminal business as they do their civil business, and have two lists, one for the North and East Riding, and the other for the West Riding, and had two grand juries, one for the North and East Riding, and the other for the West Riding, I think it would save half the expense to the county.

Q. 1049. In what way?—*A.* Most of the cases come from the West Riding; at present we have only one grand jury for the whole three ridings. Every witness is obliged to be in York on the Wednesday or Thursday, at latest, in the first week; but, there being but one grand jury, all the bills for all the ridings must go before that grand jury, then the witnesses must remain till the prosecution is over; now it strikes me that if you were to have two grand juries, one for the North and East Riding, to assemble upon the Monday in the first week, and another for the West Riding, to assemble either upon the Friday in the first week, or the Monday in the second, so as to supersede the necessity of having any West Riding witnesses in before the second week, that would save nearly one-half of the expenses incurred. It is a matter of complaint among the gentlemen in the county not being put upon the grand jury, and there would be no difficulty in getting two or three grand juries.

Q. 1050. Do you think the gentlemen upon the grand jury would not be opposed to it?—*A.* I think not.

Q. 1051. Upon the northern circuit, in all the counties except York, you and your clerk of indictments discharge the duty of the clerk of arraigns?—*A.* Yes; of late years I have not had a clerk of arraigns, except at York. When I began I had one that went all the way round.

Q. 1052. Why do you find it necessary to have one at York?—*A.* On account of the business being so heavy.

Q. 1053. If you were relieved from the tedious and troublesome business of taxing costs, could you discharge the duties of the clerk of arraigns in person at York?—*A.* No; I could part of the duty, but not the whole.

Q. 1054. Would the clerk of assize be enabled by that change of system to perform the duty of the clerk of arraigns, in general?—*A.* I think it is very practicable in many counties, but the whole time of the clerk of assize, and the clerk of arraigns, and the clerk of indictments, is, so long as the grand jury is sitting at York, fully occupied, and, if we tax any bills before the grand jury are discharged, they are mostly done out of office hours.

Q. 1055. Would not the being relieved from the taxing of the bills make a great difference?—*A.* Yes; it would set the officer at liberty; but till the clerk of assize has got rid of his indictments, and the grand jury are discharged, it could not be properly done. I do not say that it is absolutely impossible, because I have done it, but it is what I could not expect other persons to do; it is more than can be done by the generality of men. I had an object in endeavouring to execute both offices. My clerk of arraigns was ill and could not go the circuit. He could but ill afford to lose his salary, which he would have done if I had appointed another. By doing his duty as well as my own, I had saved his salary for him, and paid him the same as if he had officiated the whole circuit.

Q. 1056. Supposing this arrangement could be made, would the saving of the salary now paid to the clerk of arraigns be equivalent to the fees that arise upon the taxation of costs?—*A.* The salary of the clerk of arraigns would amount to more than the fees which I get for taxing costs.

Q. 1057. If you could dispense with him you would be a gainer by it, although you lost the taxing of costs?—*A.* Yes; nominally I should be, to the extent of his salary. But situated as we now are, with respect to compensation, I apprehend it would make no difference to me, because if you have a clerk of arraigns the Treasury allows you the salary; and, suppose I could execute the office of clerk of assize and clerk of arraigns at York, the Treasury would not, I apprehend, give me the allowance that I now pay to the clerk of arraigns.

Q. 1058. But the fees of the clerk of arraigns would still be receivable?—*A.* I should receive the same fees, but then the Treasury would save it and not myself. I have not claimed any allowance for acting as clerk of arraigns in the absence of such officers, to which I have before alluded.

Q. 1059. What is the average amount of the fees for taxing costs?—*A.* I should say it is not above half-a-crown or three shillings for each prosecution.

Q. 1060. If the clerk of the peace were employed to tax bills at the assizes, do you think it would produce a saving to the county?—*A.* I think it would be a very considerable saving.

Q. 1061. Does any objection occur to you to such a plan?—*A.* None whatever. I think it would be very desirable; he must know so much more than any clerk of assize can.

Q. 1062. And he would be able to tax the magistrate's certificate in a way that you cannot?—*A.* Exactly; the clerk of the peace is generally resident in the county; he has great local knowledge.

Q. 1063. Do you think that would be a better plan than throwing upon the clerk of the peace the whole duties of the clerk of assize, and uniting the two offices?—*A.* I cannot say that I see any reason why the whole duties of the clerk of assize should not be executed by

the clerk of the peace. Most of the rest, except settling indictments (which he is as competent to do as I am), is machinery.

Q. 1064. Do you think the circumstance of his not going round the circuit, but being confined to one county, would be an objection?—*A.* I should say certainly not; in many cases it would be an advantage.

Q. 1065. Who has the charge of depositions after the trial is over?—*A.* The clerk of assize.

Q. 1066. In case of the reconsideration of a sentence, upon an application made to the Judge, are not the depositions the only documents important to be referred to?—*A.* I am not aware of any instance in which they have been referred to. I have never been applied to for them. The Judge in general acts from his own knowledge and his own recollection of what took place at the trial; the Judge always has the depositions before him at the trial.

Q. 1067. Do you carry them beyond the town?—*A.* Yes; but not at York; I leave them there. Those that I get at Newcastle, and Carlisle, and Appleby are carried round and brought to York again.

Q. 1068. So that in case they were wanted there would be that convenience that they travel upon the circuit with the Judge?—*A.* Yes; but suppose the circuit begins at York, all the York depositions are left there before we proceed to the next place.

Q. 1069. So far as relates to an inquiry into the character and previous conduct of the prisoner, cannot that be better made by a person upon the spot?—*A.* Infinitely better; but many of the Judges are in the habit of calling upon either the gaoler or the constable to know whether they know anything of the prisoner. Some of the Judges require the gaoler at York, at the conclusion of every man's trial, to send him a note to say if he happens to know anything of the man having been in custody before, either in his custody or any where else in the county. The clerk of assize is never called upon, because the Judges are aware that he can know nothing of his own knowledge.

Q. 1070. Have you read the evidence which was taken before the County Rate Committee?—*A.* No, I have not.

Q. 1071. Does the clerk of assize take any notes?—*A.* We take no notes except in this form: "Tuesday the 16th of February, 1835. Before Mr. Justice James Parke. John Jones for stealing a horse from Thomas Smith, on the 4th of February, 1836. Plea, not guilty.—Verdict, guilty.—Sentence, seven years' transportation."

Q. 1072. Have you never known any instances in which application has been made in favour of a prisoner, in which the Judge has sent for the officer and conferred with him?—*A.* I have known no instance. The clerk of assize can know nothing but from hearsay, and the Judge has in general the means of obtaining better information than the clerk of assize.

Q. 1073. Do you happen to know whether they find any inconvenience in those places which have local officers?—*A.* I think it impossible that they can. When I used to go the circuit as marshal, which I did for many years, I should say there was no county better officered than Lancaster.

Q. 1074. Have you the custody of any of the records?—*A.* Of all of them. In the counties embraced within my office, the records that we get at Newcastle, and Carlisle, and Appleby we carry with us till we get to York.

Q. 1075. What do you do with the indictments and other records when the circuit is over?—*A.* We keep them in a place provided for them at York. All the records upon the circuit are taken to York and there kept in separate rolls, each roll containing one circuit.

Q. 1076. Do you mean that the records of Northumberland are deposited at York?—*A.* Yes.

Q. 1077. Do you think there would be any inconvenience, in case of having a third court, in having one of the marshals to act in it?—*A.* None at all, if he knew the duties and was in the commission.

Q. 1078. Whether the duty of taxing costs be taken from him or not, would there be any objection to pay the clerk of assize by salary instead of fees?—*A.* None whatever.

Q. 1079. Do you think it would be desirable?—*A.* I do not think it is to be expected that so much pains will be taken in properly fulfilling the dutiesof the office where the party has no interest as where he has. It is the principle only that I object to. I think that every person should be paid for that which he actually does a fair and liberal allowance. On that account I think the fees are the fairer way.

Q. 1080. Do you think the amount of the fee is in general well adjusted to the actual amount of duties in respect of which it is charged?—*A.* Certainly not.

Q. 1081. Does it not proceed upon the principle of compensation; for what you are ill paid in one instance giving you a great deal more in another, by which you are overpaid?—*A.* I cannot tell upon what principle it proceeds. Whatever the principle may be, it is a bad one. I do not think it often happens that we are overpaid. All that work which the public see done by the clerk of arraigns, I am not aware that there is a single fee belonging to it; and there is a great deal of other work done by the clerk of assize for which there is no remuneration whatever, independent of making returns whenever called upon by any commissioners or by members of either house of Parliament, or the Secretary of State, which is extremely burthensome, and for which no remuneration has ever yet been given.

Q. 1082. Then from what sources is the officer paid?—*A.* There are no fees on my circuit belonging to the office of clerk of arraigns.

Q. 1083. Then in respect of what fees do you get the compensation?—*A.* The largest fee of all in ordinary prosecutions is upon the prisoner's acquittal, that is, £1. 5*s.* 6*d.*; then in every case there is the discharging of the prosecutor's recognizance, that is, 14*s.* 8*d.*; then he gets 3*s.* or 2*s.* 6*d.* for taxing the bill of costs. He gets transportation orders, house of correction orders, preparing and issuing writs of habeas corpus, and so on.

Q. 1084. Those are the emoluments in respect of which you now receive compensation?—

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A. Yes; and in respect of the other fees enumerated in the table of fees before mentioned, out of these I pay the clerk of arraigns; but for the service that the public see performed by the clerk of arraigns, such as calling the jury, arraigning the prisoner, and charging the jury with the prisoner, and taking the verdict, and calling on the prisoner for sentence, there is no fee. There may be, and there are I believe, upon some of the other circuits, some fees attached to the office of clerk of arraigns, but there are none upon the northern circuit.

Q. 1085. If you do not think that the system of paying by salary is preferable to that by fees, supposing it to be desirable to assimilate the fees upon the different circuits, in what way can you assimilate the fees?—*A.* I apprehend that, when a vacancy occurs in the office of clerk of assize, it is in the power of the Treasury to make any alteration: for myself, I should certainly prefer being paid by a fixed salary on the generality of circuits, but I do not think it is a good mode of payment; I should like to be sure, before I went a circuit, that I should receive a fair remuneration for going.

Q. 1086. What is the objection to the mode of payment by salary?—*A.* Take the summer assizes at York, with a very light gaol it only lasts a week; in that case you certainly have a benefit; perhaps then you are paid too much. Then take a spring assize, a heavy assize, where you have three weeks, then I say you are not paid enough.

Q. 1087. Taking one with another, are you not properly remunerated?—*A.* I think not; my compensation was fixed at a very low amount, on a calculation of one year only, and that a bad year. It may be a fair rate of allowance when the work is very light, but I think it would be very inadequate when the work is heavy.

Q. 1088. You think it is pleasant to the feelings of the officer to receive a good deal of money at a time when he is doing a good deal of work. Is that your ground?—*A.* This is not my ground. My ground is, that the payment should be proportionate to the service rendered; that, to ensure a good officer, it should be on a liberal scale, according to the officer's character, profession, and station in life, and with reference to what he gives up by executing the office.

Q. 1089. Is the paying by salary attended by any danger of the work not being done properly?—*A.* No, as far as my knowledge goes, I think the work is just as well done; but I think that is principally because you have good officers.

Q. 1090. Can you suggest any plan of making one uniform table of fees for the same services on all the circuits instead of letting them vary as they do now?—*A.* You cannot do it with the present officers unless you insure them all a certain sum, at all events, on each circuit.

Q. 1091. In preferring the system of payment by fees you allude to a regulated system of fees?—*A.* Yes: I think all our fees want putting upon a new system.

Q. 1092. What misdemeanours are there in which the acquittal fees and the fees on recognizances are not paid out of the county rate?—*A.* I think there are some few cases, but, without the documents I have before me when I am taxing, I cannot specify them.

Q. 1093. Is not this the distinction, that where the defendant is in custody they are paid out of the county rate, and where he is not in custody they are paid by the defendant?—*A.* I think that is so; because I know the marshal never got those fees till Bennett's Bill passed, and then he always got them.

Q. 1094. Are not these fees still very oppressive in many cases?—*A.* I should say that traverse fees are peculiarly oppressive.

Q. 1095. And the fee on acquittal?—*A.* Yes, when paid by the defendant.

Q. 1096. And on recognizances?—*A.* Yes; in point of fact nothing on earth is done for it.

Q. 1097. Do you not believe that there are many instances in which prosecutions are instituted from vindictive motives; because, whatever the result of the trial may be, the fees operate as a heavy infliction?—*A.* I cannot say. I can only say that the fees are very heavy, I should say unjustly heavy. He is under recognizance to enter and try his traverse, and the clerk of assize is enabled to withhold his traverse-book, and frequently, when he thinks a party can pay, will not let him have it to enter until he pays his fees. Formerly nearly half the entire fees used to be remitted, but, since the Act relating to fees passed, they belong to the Treasury, and, therefore, the clerk of assize has no longer the power of giving them up in any case. Formerly whatever he gave up he lost out of his own pocket.

Q. 1098. Suppose that in lieu of the fees paid out of the county rate a salary should be substituted, leaving the fees paid by individuals as they now stand, would there not still be a great oppression?—*A.* That would leave the most objectionable part in my view. There is scarcely a traverse where the fees come to less than £10, which the man or his sureties have to pay before he can get his traverse-book to enter.

Q. 1099. Are the Commissioners to understand that your great objection to salary is that the clerk of assize would never have the benefit of the surplus work?—*A.* Yes: I think he will work more cheerfully if he knows that for increased labour he shall have increased pay.

Q. 1100. Will that depend very much upon whether an ample sum is secured to him?—*A.* Very likely it may; but I think the effect of payment by salary is to produce a want of stimulus.

Q. 1101. With respect to the grand jury, is there any delay in finding the bills?—*A.* No; there is often great delay by the attorneys in taking their bills before the grand jury; we frequently have complaints that they have no bills to go on with. The Judge turns to me and inquires why the grand jury are without business, and I say I have settled 16 indictments this morning which are all ready; the fault lies with the attorneys and not with me. I think there should be a power of making the attorneys go directly from court and take the indictments at once with the witnesses to the grand jury room.

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J. Bayley, Esq.
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Q. 1102. Have not both the attorneys and the witnesses a direct interest in protracting their stay in the town?—*A.* The witnesses have certainly. I do not say that the attorneys have, because their fee for the prosecution is regulated by the time of the trial; for instance, if it is tried the first week he has three guineas, and if it is tried at the end of the second week he has six guineas. I think they are underpaid, so much so, that many of our most respectable attorneys will not take a prosecution, and others are very indifferent about it.

Q. 1103. It has been suggested that there might be a better arrangement for the clerk of indictments to be there beforehand to get forward with the business. Could he?—*A.* He cannot do it without the witnesses; he is almost always forward enough for the grand jury. If we take the facts from the depositions we cannot rely upon those alone. I cannot pass an indictment before the witnesses have been before the clerk of indictments, and he has examined them as to the facts.

Q. 1104. And the earlier you bring them the more you increase the expense of prosecutions?—*A.* Yes.

Q. 1105. You do not think the attorney's fees too liberal, you say?—*A.* No; certainly not.

Q. 1106. What do you think of the clerks of magistrates having almost a monopoly of conducting all prosecutions?—*A.* I think it is improper. I think it is just as improper as allowing the coroner to be attorney in a prosecution where he has sat as coroner; and I think there is an enactment against that now.

Q. 1107. Supposing the officer to be secured from any pecuniary loss, can you point out any mode of reducing the charge upon the county rate, or of relieving defendants in case of wanton or vindictive prosecutions?—*A.* I think you would relieve the county rate very much by having two separate grand juries in large counties, and having lists made out when each calendar should attend; and also by so equalizing the county rate as to make the towns pay their fair proportion, in reference to the number of prisoners they send to the county gaol, instead of paying an acreage rate, as I believe is mostly the case now.

Q. 1108. And binding over the witnesses for a particular day?—*A.* Yes: it would work much better if you had a public prosecutor; he would direct what prosecutions should be sent to the assizes and what to the sessions, and he would give the prosecutor and witnesses notice to attend on a given day.

Q. 1109. Those fees for defendants in misdemeanours, do you think they should be either done away with or altered?—*A.* I think certainly some should be altered and others done away with. I know nothing to warrant the present system of traverse fees on the northern circuit except the usage.

Q. 1110. Does any other suggestion occur to you on this subject?—*A.* Speaking of Yorkshire, and knowing the clerk of the peace, I know that he would exercise all the duties of my office, and particularly those of taxing bills, with infinitely greater advantage to the county of York than I could do; though I believe I can execute them as well as any other stranger to the county.

Q. 1111. At all events do you think that his attending at the assizes and taking the taxing of the bills would be a great improvement?—*A.* I think it would: I think the county would save a great deal of money by it; he must be in possession of so much more local information than any clerk of assize can have; but, if he takes any part, I think he and his officers should take the whole of the business of the clerk of assize.

(*The witness withdrew*).

No. 15.

15th and 16th February 1836.

No. 15.
J. Bellamy, Esq.

John Bellamy, Esq., was called in and examined as follows:

Q. 1112. You are clerk of assize of the Oxford circuit?—I am.

Q. 1113. Do you perform the duties in person, or by deputy?—*A.* I have performed them in person since the summer of 1823, and acted as associate for about three years before that.

Q. 1114. Are you paid for the services by salary or fees?—*A.* By fees; no salary whatever.

[*A paper was shown to the witness.*]

Q. 1115. Is that a copy of the return sent to the compensation commissioners of the fees received upon the Oxford circuit?—*A.* Yes.

Q. 1116. Were the origin and authority of those fees, and the appropriation of them, stated to the compensation commissioners?—*A.* They were.

Q. 1117. Do you continue to receive the disallowed fees?—*A.* No, not now; ever since the spring circuit (after the Report) I have discontinued those which the commissioners disallowed.

Q. 1118. Do the gratuities continue to be received?—*A.* The gratuities are the same,—the glove money, and for the criminal returns, which I receive from the Secretary of State; it is the same allowance for the return, whether long or short, but since the allowance was first made they have greatly increased in length.

Q. 1119. Is it a part of your duty to tax the costs in each prosecution, and to make an order upon the county treasurer for the amount?—*A.* It is, and which I have exclusively performed myself, except when I have been ill.

Q. 1120. Is that a troublesome duty, or one occupying a great deal of time?—*A.* It occupies a good deal of time in some few prosecutions, but in the general run of prosecutions it is not laborious.

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Q. 1121. Does it occupy the officer frequently till late at night?—*A.* No; I have adopted a plan that, as soon as the prisoner is arraigned, I directly make out an order for the costs, while the prosecution is going on, and allow no more time than is necessary for the witnesses to go home. If I did not make it out till after the court broke up, the witnesses, in most cases, could not go home that day, and therefore I have made it a rule to make it out in court during the trial. The treasurer of the county told me that he considered this had produced a considerable saving to the county, and sometimes it is no easy duty, because, in four out of the eight counties upon the circuit, we have frequently two and sometimes three courts occupied in trying prisoners at the same time.

Q. 1122. Do you accomplish this while you perform the duty of clerk of arraigns in court?—*A.* I am my own clerk of arraigns, except when the grand jury are discharged, then the clerk of indictments comes in and assists me.

Q. 1123. You discharge the duty of clerk of assize, and clerk of arraigns, and are able to tax the costs?—*A.* Yes; but to do that I sacrifice a great deal, both before I go into court, and at night after I go out of court, frequently sitting up till two or three o'clock in the morning; and before I leave London I do every thing I can to prepare the business.

Q. 1124. Can you form upon the whole an estimate what portion of your time is taken up by the taxing of bills of costs?—*A.* I should say from a quarter to a third.

Q. 1125. From long experience you have acquired great facility in performing this duty?—*A.* Yes, and by having methodized an arrangement.

Q. 1126. It takes you a third of the time, even by the aid of long experience and convenient methodical arrangement?—*A.* It does.

Q. 1127. Is it not a duty rather troublesome than difficult?—*A.* It is certainly troublesome, but the ordinary allowance of expenses is not difficult, because we do not deviate from the usual charge of 5*s.* a day, and 6*d.* a mile, except in Staffordshire, where it is 4*d.* a mile.

Q. 1128. Proceeding upon a fixed scale, it is seldom that any discretion is exercised?—*A.* Yes; whenever any discretion is exercised, it is always with the sanction of the Judge; it is only in cases of murder, or arson, or poison, or nice investigation, which occupy a great deal of time.

Q. 1129. Is not the chief question with respect to the allowance of counsel?—*A.* Yes; and the brief and allowance of the attorney.

Q. 1130. Is the reward and costs of *apprehension,* which is given by the Judge, governed by any fixed rule?—*A.* No; that is always quite discretionary with the Judge; but the allowances are very small now compared with what the rewards used to be.

Q. 1131. What are its general limits?—*A.* I have rarely known it exceed ten or fifteen pounds, but it is oftener under five pounds than above it.

Q. 1132. There being no fixed rule or scale, might not one Judge give £20 where another would give £5?—*A.* Yes; it depends entirely upon the merit of the individual, and the expense which he has been put to. I never take the account of a person who applies to the court for some reward for apprehending, saying that he has been at "great expense." I say, "If you will write down the particulars and swear to it, I will present it to the Judge." I always require *that* when there is an expenditure of any extent; but the Judge, from having gone though the case, has an opportunity of knowing what the individual is fairly entitled to.

Q. 1133. With respect to the magistrate's certificate for the expenses of attending before the examining magistrate, what check have you over that?—*A.* We have no check or control over that.

Q. 1134. If there be in the county a scale of allowance for the expenses of witnesses attending before the committing magistrate, do you know that?—*A.* No; that is never communicated to us; it is supposed that the magistrate who grants his certificate is aware of the authority which he has for making those allowances. In some counties some magistrates make more liberal allowances than in others.

Q. 1135. With respect to the number of witnesses before the magistrate, and the number of miles they have gone, and the length of time they have been there, have you any opportunity of knowing these?—*A.* No, we have no means of knowing; but we take the magistrate's certificate as it is, he having been cognizant of what has taken place.

Q. 1136. Is it the same with the fees of the magistrates' clerks?—*A.* Yes.

Q. 1137. If there be a scale laid down for witnesses' allowance and clerks' fees, must it not be intended that the justice should conform to it?—*A.* Of course.

Q. 1138. But you have no power of seeing that he does?—*A.* No.

Q. 1139. With respect to the expenses of prosecutors and witnesses attending the court upon a trial, do you invariably act upon the rate of allowance in the county?—*A.* Yes, 5*s.* a day; the same for the prosecutors as for the witnesses.

Q. 1140. What check have you as to the number of witnesses that are charged?—*A.* My clerk of indictments endorses the indictment; when the witness comes he says, "Where do you come from?" and he puts down the name and the distance that each witness comes.

Q. 1141. Who furnishes the account of time and distance?—*A.* The distance is learnt from the attorney and the witnesses; and there are many that I happen to know from the frequency of witnesses coming, and my own knowledge of their local situation, and the clerk of indictments, of course, has some knowledge of it; but it is impossible for me in court to get to each witness to ask where he comes from.

Q. 1142. But you do not know that he has been before the clerk of indictments?—*A.* No; but, when the clerk of indictments endorses his name at the back of the indictment, I have a pretty good assurance that he has; the clerk of the indictments examines the prosecutor and many of the witnesses, in order to frame the indictment.

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Q. 1143. But you have not time to inquire whether the witness has been before the clerk of indictments, or whether he has been before the grand jury?—*A.* The grand jury, in nine cases out of ten, tick them off upon the back of the indictment as they come in and are examined. They come into court to be sworn, and the crier endorses upon the back of the indictment the number of witnesses sworn, and those are all the witnesses upon the back of the indictment.

Q. 1144. Do you look at that when you tax the costs?—*A.* Yes.

Q. 1145. Have you any means of knowing that those witnesses are called at the trial?—*A.* Yes, because they fall under my own eye. I should say that in nine cases out of ten I have seen every witness that is examined, in the general run of prosecutions, and they are all standing either in the witness box or near.

Q. 1146. How can you judge of a witness being material to be subpœnaed?—*A.* I cannot form a judgment, but we never allow the expenses of any witness who is not either bound over or subpœnaed.

Q. 1147. Suppose two constables come, one having taken something out of the right pocket and the other something out of the left, do you allow two?—*A.* That did once occur at Gloucester, and Mr. Baron Vaughan desired that one of them might not be allowed, and he was not allowed; but that is not the fault of the clerk of assize; that is the fault of the magistrate who thought it necessary to send two men to prove a fact which one might have proved. Sometimes the magistrates complain of the expense of the assizes when a great deal of it is occasioned by themselves, because it is a frequent remark by the Judges, "Why are all these witnesses bound over, it was not necessary?" and frequently a counsel has names of witnesses on his brief whom he does not think it necessary to call. The magistrate is to blame for having bound them over. I do not recollect an instance of an attorney obtaining a subpœna for a witness who was not material, but if he did I should disallow it. A magistrate would be fully authorized to commit a man for trial, on evidence before him which would not be sufficient to convict him on his trial, and therefore the attorney supplies the evidence that is necessary, which is often pointed out by counsel. I think there is a great deal to be said in favour of prosecuting by counsel on this ground, (beside others:) if that were not done, I think that many offenders would escape, because many prosecutors are ignorant persons, and if no counsel were employed prisoners would frequently be acquitted. As a general rule it would hardly be practicable that there should be no counsel for the prosecution, because it would throw such a labour upon the Judge as no man could get through. A Judge examining the witnesses in every prosecution would, long before the close of the day, be extremely fatigued, and I think there would not be much economy by it, because very little progress would be made.

Q. 1148. It appears that you, being in court yourself, see the witnesses in court, and you have often local knowledge of the places from which they have come, but the order you give upon the treasurer does not specify either the number of miles they have come or any other particulars; is it not for a gross sum?—*A.* It is for a gross sum to the prosecutor, but, if occasion requires it, I have all the particular items in my cost book.

Q. 1149. You have a duplicate of what the attorney has brought you in his bill?—*A.* I will not take a bill in many cases; it is only in cases of murder and those great cases where expense has been occasioned which is not in the ordinary course; but in the ordinary way there is so much for the indictment, so much for swearing the witnesses, so much for the attorney and council, so much for the prosecutor, and so much for the order, that would come in one sum; then the rest is, "Thomas Jones so many miles, so many days," and so on, and the order expresses the precise sum to be paid to each witness by name.

Q. 1150. Do you say that upon your circuit, with the exception of Staffordshire, 6*d.* per mile is the general allowance, and 5*s.* a day?—*A.* Yes; the only exception is the mileage in Staffordshire, where it is 4*d.*

Q. 1151. Do you think that a fair compensation, or more than a fair compensation?—*A.* I have not heard any complaints since the mileage was reduced. I should say that to ordinary persons that is sufficient, but the witnesses are at a great deal of expense. When they come to an assize town they are generally directed by the attorney to go to one house, and properly so, for the convenience of finding them when they are wanted; if men were at liberty to go and get lodgings where they pleased, the consequence would be, that you never would get them together when you wanted them.

Q. 1152. You do not allow more than that rate of allowance without the sanction of the Judge?—*A.* No; sometimes now and then a witness is in a very ill state of health, and is brought in a cart or chaise, but that is a very rare occurrence.

Q. 1153. Have you any reason to think that the prosecutors have to pay more than what is allowed to them?—*A.* In some instances I believe they do. I know that in Gloucestershire some years ago a list was submitted to me by the magistrates as a proposed alteration, and amongst other things this: "To prosecutors and persons in a *better* condition 7*s.* 6*d.* per day;" and I suggested to the magistrates that that would be placing a discretion in an officer which would be very difficult for him to exercise. A person comes who is decent in his dress, and he is allowed 7*s.* 6*d.*; but another, perhaps, is better dressed still, but it so happens that he has his Sunday clothes on, but he is not in a better condition of life; and upon that suggestion Dr. Cooke, the chairman of the sessions, said he thought it would be better not to make that alteration.

Q. 1154. You give a guinea to the professional gentlemen, as witnesses?—*A.* Yes, one guinea per day.

Q. 1155. Supposing the clerk of the peace was present at the assizes for the purpose of taxing the prosecutions, do not you think that he would be better able to check the allowances

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on account of having more time and more local knowledge?—*A.* Certainly; and it would be not only a considerable check, but a security that the prosecutor and witnesses should get the full allowance; that is, there should be in the county hall, or some place near, the clerk to the treasurer, to pay the allowance, but if that was done behind the back of the attorney he would be often out of pocket; the witnesses come without any money, and the attorney advances money for them, and, if a separate order was made, they might take the whole money, and the attorney would be out of pocket. What I would suggest is, that as soon as the order was made, the prosecutor and the witnesses should go with the attorney or his clerk to receive the money, and then they would settle it among themselves.

Q. 1156. Would there be any difficulty in the clerk of the peace relieving the clerk of assize from the taxation of costs?—*A.* Certainly not; but he could not do that unless he was present during the assizes; then he might do it, and perhaps might do it more efficiently by examining every charge.

Q. 1157. Would he not have much more time and more local knowledge?—*A.* No doubt.

Q. 1158. When you tax bills of costs do you tax them upon affidavit?—*A.* No; because there are so few expenses allowed; but what we know are the ordinary charges, that is, for attendances, and the service of subpœna, &c.

Q. 1159. Have you authority to require an affidavit?—*A.* If a case should occur in which I thought there was any probability of an imposition being practised, I should require it, but I never go out of the general allowance without mentioning it to the Judge.

Q. 1160. In prosecutions of a particular description, such as murder, are there not charges which require to be verified upon affidavit, such as charges of searches, and apprehending, and so on?—*A.* Whenever there have been expenses in apprehending, I have required them; that is, whenever a charge is introduced of which I have no knowledge.

Q. 1161. Supposing it was thought that money might be saved to the county by the clerk of the peace taking the taxation of costs, then an objection arises, "but there will be two offices for the county to pay instead of one;" to obviate this, a notion is entertained that the staff of the officers upon the circuit would admit of reduction: have you considered that subject?—*A.* No, I have not; but I should think the clerk of the peace certainly might tax costs as well as the clerk of the assize.

Q. 1162. Do you think he could be substituted for the other officer, and be made clerk of the Crown with equal convenience to the Judges?—*A.* Certainly not with equal convenience to the Judges. I was examined at some length before the select committee; the subject was mentioned there, and this observation was made—"But what do you say to Lancaster and to Durham, where the clerk of the Crown is the officer?" The answer to that is, that the Judges have great trouble and great inconvenience from the officer not being present in town, and they find it very much so with the two Welsh circuits, where the clerks of assize reside at usch a distance as they do; and I hear constant complaints of the Judges not receiving that communication which it is desirable that the Judge should have, immediately upon the circuits being chosen.

Q. 1163. In what way does the inconvenience to the Judges arise?—*A.* In not having the convenience of constant communication. Sometimes we have to wait upon the Judges; very frequently indeed as soon as the circuits are chosen, and before the final arrangements of the circuits are made; and upon the circuit they would be sometimes very much inconvenienced by not having the officer at hand, because frequently the Judge has occasion to know what has occurred at a former place, and wishes to see the indictment and depositions, especially in cases where a prisoner has been left behind for execution, whom the Judge has it in contemplation to reprieve.

Q. 1164. What means have you of answering those inquiries; do you carry the depositions with you?—*A.* Yes; every thing from the time that we start upon the circuit to the end; all the indictments and every record of every description; and by the time I leave Gloucester, the last place upon the circuit, a pair of horses have hard work to take me to town. It is very desirable that the records should at all times be at hand, as it is frequently necessary during the circuit to refer to them.

Q. 1165. Still do you think the staff would admit of the reduction, say of a subordinate officer, by the clerk of assize performing the duty of a clerk of arraigns?—*A.* I cannot answer for other gentlemen, but, for myself, I should have no difficulty in acting as clerk of assize and clerk of arraigns, if the taxation of the costs is taken away.

Q. 1166. Do you settle the indictments?—*A.* The clerk of assize does, and is often consulted; but my clerk of indictments has been now some two or three and thirty years, and has had great experience.

Q. 1167. You do not find it necessary to revise his indictments?—*A.* Certainly not; it is a difficult office to fill, and requires great skill and experience, which he possesses.

Q. 1168. Unless he refers to you, you do not find it necessary to interfere with him?—*A.* No.

Q. 1169. Do you sign all the indictments that are prepared by counsel?—*A.* No, the clerk of indictments does; the indictments all pass through the office of the clerk of indictments. I have got now in town not less than fourteen inquisitions and sets of depositions in cases of murder and manslaughter, because the Judges are very desirous of seeing the depositions for murder before the fixing of the circuit, in order that additional time may be taken for the trials, where it may be necessary. And then the clerk of indictments has also an opportunity of considering the framing of the indictment, which frequently requires more than one count. By having the depositions you see how the proof will be shaped, and accordingly how to draw the indictment.

Q. 1170. Who sends for the depositions in those cases from the country?—*A.* I write for them at the Judge's request.

Q. 1171. Do you see any difficulty whatever in the clerk of assize, if he were relieved from the taxation of costs, discharging in person the duty of clerk of arraigns?—*A.* No; I myself should feel none.

Q. 1172. And with respect to the expenses, does not the usual allowance or salary of the clerk of arraigns amount to more than the fees received for the taxation of costs?—*A.* I believe it does, or nearly so, but I have not made the calculation. The fee for the taxation of costs is 1*s.* for the prosecutor, and 6*d.* for each witness.

Q. 1173. Where are the records kept after the circuit?—*A.* For those upon the Oxford circuit I have a room at chambers in Gray's Inn, for which I pay £15 a year. I believe on the northern circuit they are kept at York, but that would be extremely inconvenient if it were not that Mr. Bayley's officers reside at York, and the county have been at considerable expense for a building which accommodates the records. I should think I have not less than three tons' weight of records, the greater part of which are of no use whatever.

Q. 1174. Do you think it would be an additional advantage in sending the clerk of the peace to the assize that he might take charge of and keep the criminal records?—*A.* Unless he is to be the clerk of assize there would be great difficulty, because we are constantly applied to for certificates of indictments being found, and records of conviction and other matters.

Q. 1175. Then he would be applied to instead of you, would he not?—*A.* Yes; but then all persons in the profession would have to write to the different counties instead of having them in one fixed office in London.

Q. 1176. Does any inconvenience arise from the records of the northern circuit being kept at York?—*A.* I do not know; the reason of it was that Mr. Rigg, who held the office for fifty-seven years, constantly resided in Yorkshire.

Q. 1177. How often have you application made to certify from the records, or to permit inspection of the records?—*A.* I cannot say how many times, but we have a great number of applications which do not require documents; applications which are not attended with any useful result.

Q. 1178. Are you frequently applied to for records of conviction?—*A.* Not very frequently; we are more frequently applied to for certificates of indictments having been found, and certificates of former convictions.

Q. 1179. Is there a convenience in the officer to whom such applications are made being in London?—*A.* I should think there is.

Q. 1180. Upon the subject of fees or salaries, would there be any objection to the payment of the clerk of assize by a salary?—*A.* For myself, personally speaking, I should not have a choice between them, because it would make no difference in my conduct in the discharge of the duties of the office; but as a general principle I should think that fees would be more acceptable to the officer, and especially when he has very heavy labour indeed thrown upon him. The payment of salaries might have this effect, that a person would not be quite so solicitous to collect in all the fees; but I have no knowledge of any gentleman who would not do his utmost to do it; and we are now placed in rather an unpleasant situation, because it is known now that the officer receives a compensation, and a person says, "I shall not pay; it makes no difference to you;" but we have no power to forego the receiving of the fee, however poor the party who is to pay may be.

Q. 1181. Is not it an objection to the payment of fees, that the poverty of the parties sometimes disables the officers from receiving the payments due to them, and there is no easy mode of recovering them?—*A.* Certainly; if the duty was paid by fixed salary, and no fees taken at all, that would be most desirable.

Q. 1182. Do you think the allowance to attorneys is too liberal?—*A.* I should think it is sufficient on the Oxford circuit, regard being had to the weight of the expenses in prosecutions which the counties have to bear, because upon the western circuit there is only one guinea allowed to the attorney for his brief and attendance too.

Q. 1183. What fees are still left payable by the defendants in misdemeanours?—*A.* The traverse fees.

Q. 1184. What acquittal fees are there still payable by persons tried?—*A.* The acquittal or misdemeanour fees are not paid by the county where a party is out on recognizance; if he is acquitted he pays that.

Q. 1185. In cases of aggravated misdemeanour are not the acquittal fees paid out of the county rate?—*A.* Where they are in custody.

Q. 1186. Is that the distinction made, whether they are in custody or whether they are out on bail?—*A.* Yes; but we do not get many of those out on bail.

Q. 1187. But, when they appear to traverse, will you let them traverse without paying the fees?—*A.* They appear and plead, and enter into a recognizance; those fees they must pay at the time, but the traverse book is not paid for till the trial. Three or four years ago I had no less than six traversers' books in Worcester, and I received not a single farthing for either of them, although I had all the expense of making them up.

Q. 1188. So that, in point of fact, the traverse fees and the remaining acquittal fees are often not paid?—*A.* Yes; they often are not paid by the poorer sort of people. It would relieve the officer from considerable responsibility if he were dispensed from collecting those fees.

[*The witness withdrew.—Adjourned.*]

Examinations.

No. 16.
J. Clark, Esq.

No. 16.

FEBRUARY 1836.

John Clark, Esq., late Deputy Clerk of Assize, Home Circuit.

Q. 1189. Were you till lately deputy clerk of assize of the home circuit?—*A.* I was.

Q. 1190. When did you cease to act as such?—*A.* In the beginning of the year 1835.

Q. 1191. Did you before act in the same capacity on the midland circuit?—*A.* I did; I was deputy clerk of assize on the midland circuit about seven years.

Q. 1192. Who are the officers upon that circuit? Of what does the Judge's staff consist?—*A.* Of the deputy clerk of assize, associate, and clerk of indictments, and the two marshals, and two criers.

Q. 1193. What officers had you upon the home circuit?—*A.* In addition to the officers before named I had a clerk of arraigns, and I found it necessary to call in the assistance of an additional person in the office of the clerk of indictments to assist in preparing indictments and to tax costs. On the winter circuit the associate acted as clerk of arraigns in the second court.

Q. 1194. On the home circuit were you paid by salary or by fees?—*A.* By fees: I paid the principal a stated sum and retained the overplus for the performance of the duties of the office.

(*A paper was shown to the witness.*)

Q. 1195. Is that a copy of the return you sent to the commissioners of compensation of the fees received upon the home circuit?—*A.* It appears to me to be so.

Q. 1196. Were the origin and authority of those fees, and the appropriation of them, stated to the compensation commissioners?—*A.* Certainly.

Q. 1197. Do you continue to receive the disallowed fees?—*A.* Since that time I have not been upon the circuit; but I have been informed that they have not since been taken.

Q. 1198. Do the gratuities continue to be received?—*A.* I have not been since, and do not know.

Q. 1199. Was it a part of your duty to tax the costs in each prosecution, and to make an order upon the county treasurer for the amount?—*A.* It was.

Q. 1200. Is the taxation of costs a disagreeable duty, and one occupying a great deal of time?—*A.* It is a disagreeable duty, and in some cases occupies a good deal of time.

Q. 1201. Does it engage the officer in the evening after court hours?—*A.* Very frequently, on the midland circuit; the business in court and before the grand jury must otherwise have been impeded.

Q. 1202. Did you, upon the midland circuit, execute this duty while you were at the same time performing the functions of the clerk of arraigns?—*A.* Upon the midland circuit the clerk of indictments taxed the costs at intervals in the business, when opportunity offered. If the grand jury proceeded so rapidly as to require all his time to supply them with indictments, the costs were obliged to be put by till the evening.

Q. 1203. Can you form an estimate what portion of your time, during an assize, was taken up by the taxing the bills of costs?—*A.* No: but I think it takes about ten minutes a case upon an average.

Q. 1204. Is not the duty of taxation more troublesome than difficult?—*A.* Yes; it only requires attention and care.

Q. 1205. Is there much discretion exercised, or does it proceed upon a fixed scale?—*A.* It proceeds upon a fixed scale, never departed from except in extraordinary cases, with the sanction of the Judge.

Q. 1206. In taxing the costs of apprehension to be allowed under a Judge's order upon the sheriff, do you proceed upon any scale, or do the Judges order different rates of allowance?—*A.* Some Judges order a specific sum, others leave it to the officer to assign a reasonable remuneration. In making the latter the officer has generally adopted, not the county allowances, but one uniform scale for the whole of the circuit.

Q. 1207. And what is that scale?—*A.* About 5*s.* a day, and 2*s.* 6*d.* a night, and something as compensation for time and trouble.

Q. 1208. Do you require an affidavit of the expenses charged having been actually incurred, or an examination in court to the same effect?—*A.* When the amount was large I did, unless I could obtain a certificate from the committing magistrate.

Q. 1209. There being no fixed rule or scale, might not one Judge give £20 where another would give £5?—*A.* They might, but the Judges in general only direct that the costs of apprehension be awarded by the officer. A fixed scale would, I think, be very desirable.

Q. 1210. With respect to the magistrate's certificate for the expenses of attending before the examining magistrate, what check have you over that?—*A.* None that I am aware of.

Q. 1211. If there be in the county a scale of allowance for the expenses of witnesses attending before the committing magistrates, do you know that?—*A.* No, I do not. I take it from the certificate of the committing magistrate, which I regard as conclusive, unless anything appear upon the face of it which is illegal.

Q. 1212. Do you know the number of witnesses attending before the examining magistrates?—*A.* No, except by the certificate of the committing magistrate.

Q. 1213. If there is a table of fees for the magistrate's clerk, can you tell whether those fees only are allowed in the certificate?—*A.* No, I cannot tell. I do not recollect ever seeing any tables of fees to be taken by magistrates' clerks except when they have been transmitted

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to me for the purpose of laying them before the Judges for approval, and before such approval had taken place.

Q. 1214. Do you not think further check and control is required over the magistrate's certificate?—*A.* I supposed that the amount of such certificates was inquired into by the justices of the several counties at their sessions. It certainly is in some counties, and with that view the certificates have been returned with the clerk of assize's order, that they might be taken to the treasurer, and go with his accounts and vouchers before the magistrates.

Q. 1215. Do not the magistrates in some counties on your circuit certify a gross sum as the expenses incurred, without any enumeration of particulars?—*A.* Sometimes they do certify a sum in gross without any specification.

Q. 1216. Does not the certificate sometimes contain the expenses of search and apprehension, and, if so, how do you deal with it?—*A.* In those cases where it can be allowed, I deduct it from the certificate and put it in an order upon the sheriff. In other instances I leave it in the certificate, because in Essex, where it principally occurs, such expenses are directed to be paid by the magistrates, and they have allowed them in a table framed by themselves.

Q. 1217. Do you think you can effectually check the number of witnesses who attend at the trial at the assizes? also the time and distance?—*A.* Yes, I do. Upon the home circuit I think the distances are more easily ascertained than in more distant counties.

Q. 1218. What is the allowance for time per day?—*A.* In Kent and Sussex the allowance is 4*s.* per day and 4*s.* for the night. In the other counties 4*s.* 6*d.* per day and 2*s.* 6*d.* a night.

Q. 1219. Do you think *that* a fair and reasonable compensation, or is it too much or too little?—*A.* As respects the labouring classes I think it is too much, not as regards others.

Q. 1220. What is the mileage?—*A.* 3*d.* a mile out and home.

Q. 1221. Is that sufficient to pay the actual expenses?—*A.* I believe it will barely pay outside fare.

Q. 1222. Could the same scale of allowance be justly and fairly fixed for the assizes and sessions?—*A.* I think that the expenses of witnesses are heavier at the assizes than at the sessions.

Q. 1223. Why are the expenses greater at the assize?—*A.* The class of persons attending at the assizes on the *nisi prius* side being superior, the charges are made higher for them, and then extended to all.

Q. 1224. Would not the clerk of the peace, from his local knowledge, and having more time to investigate the details, be able to tax the costs better than the clerk of the assize?—*A.* I think not. As an officer, I should be glad to get rid of the trouble of taxing costs; but if fees are to continue to be paid there would be difficulty in the communications necessary between the two officers. There must be an open account kept.

Q. 1225. But might not the clerk of assize be paid by salary?—*A.* If there were no fees to be received, it could be done.

Q. 1226. Might not the allowances then be graduated, and the actual expenses more minutely investigated?—*A.* Yes.

Q. 1227. Might not the clerk of arraigns in general be dispensed with on such an arrangement taking place?—*A.* In general one officer might be capable of transacting the business, if the taxation of costs were taken away.

Q. 1228. Do you think that generally more is paid for the expense of prosecutions than is allowed by the county? Have prosecutors often *extra* costs to pay?—*A.* Prosecutors are not by any means fully compensated. They are put to expenses to keep their witnesses together, and have to pay in other respects more than they receive.

Q. 1229. Has crime in your opinion increased or diminished of late?—*A.* I think *serious* cases, by which I mean highway robberies, bad burglaries, and crimes accompanied with violence or circumstances of aggravation, have decreased. But I speak this as a matter of opinion and observation, and not as the result of any exact inquiry.

Q. 1230. To what causes is such diminution in the more serious cases attributable in your judgment?—*A.* To an effective police, to the difference in punishment of the more heinous offences, and a good deal, I hope, to the advantages of education of the lower classes.

Q. 1231. Have you any other information to give upon the subject of the county rates?—*A.* I have suggested elsewhere the expediency of adopting the practice which now prevails in the central court, of not requiring the attendance of the prosecutors and witnesses in certain of the cases till a later period of the assize.

No. 17.

FEBRUARY 1836.

J. Bayley, Esq., further examined.

No. 17.
J. Bayley, Esq.

Q. 1232. Has your experience upon the last circuit enabled you to add any thing to the information you have already afforded to the Commissioners?—I think some check ought to be given to the institution of frivolous or unnecessary prosecutions. In a recent case of perjury at York there were many immaterial witnesses; the amount of costs allowed (against my wish) was £165. 18*s.* 5*d.*; but there were difficulties in the way of my reducing it. I think that unnecessary witnesses ought not to be allowed for their expenses and loss of time, although

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they should have been bound by recognizance or subpœnaed to give evidence, and I hope care will be taken that the power of the officer in the taxation of costs should not fail in case of the assizes terminating before the examination and allowance is complete.

Q. 1233. Has any other abuse or inconvenience struck you?—*A.* The charges for search and apprehension by constables in pursuits engaged in under the direction of the head constable in some principal towns, are a growing item of expenditure. Indeed they are now applied for in all the cases mentioned in the Act empowering the Judge to make an order for them upon the sheriff, that is, in almost every case at the assizes. There is great abuse in this respect. There is the strongest reason for believing that constables charge for journeys they have never made and expenses they have never incurred.

No. 18.

February 1836.

No. 18.

R. Gude, Esq.

Richard Gude, Esq., examined.

Q. 1234. Have you filled the office of coroner, or acted as deputy coroner for the county of Middlesex, and how long?—*A.* I acted as deputy coroner in Middlesex for many years.

Q. 1235. How many coroners are there in the county of Middlesex?—*A.* Only two, one for the east and one for the west.

Q. 1236. Besides the county coroners, is there not also a coroner usually appointed for each borough?—*A.* In municipal boroughs there is; not so in parliamentary boroughs not incorporated. There is no provision for the appointment of a coroner in Mary-le-bone or Finsbury, or any other of the metropolitan boroughs, however extensive and populous they may be. The coroner of the county acts for them.

Q. 1237. Has the county coroner frequently considerable distances to travel?—*A.* Yes, 40, 50, or 60 miles.

Q. 1238. Is it not desirable that there should be a coroner in every district of a convenient extent for travelling?—*A.* I think so, say 20 miles.

Q. 1239. But in such case would you still expect that he should be paid travelling expenses?—*A.* Not if you gave him a proper fee.

Q. 1240. Is not the present fee an adequate remuneration?—*A.* I think not. I consider it a hardship upon a coroner that he should receive no more than 20*s.*, however long an inquest may last.

Q. 1241. Should the fee, in the arrangement supposed, be 30*s.* or more, and no travelling expenses allowed?—*A.* I think it should be 40*s.* and no travelling expenses.

Q. 1242. Would professional persons be found to execute the office in such small divisions as you propose?—*A.* I think any professional man in a town or village would be glad to act. A professional man finds it worth his while.

Q. 1243. How are the coroners in boroughs appointed?—*A.* Where there is a corporation the town council appoints the coroner, and that is a greatly better method than the election by freeholders.

Q. 1244. It seems you do not approve of the election of county coroners by freeholders; what are the objections to it?—*A.* It is an election by freeholders of any amount, (the value not being limited,) whether entitled to vote for members of Parliament or not. The abuses attending the elective system consist of the impositions practised as to votes, (persons pretending to possess freeholds who have none,) and the personation of others who are freeholders. Such an election is sure to be tumultuous, and accompanied with many disgraceful scenes.

Q. 1245. In what manner would you have the county coroners chosen?—*A.* The supreme coroners, the Lord Chief Justice of the King's Bench should appoint them, as the Lord Chief Justice of the Common Pleas appoints commissioners for taking fines, examining married women, &c.

Q. 1246. How is the coroner paid for the discharge of his duties?—*A.* By fees.

Q. 1247. What are the fees?—*A.* The fee for taking every inquest is 20*s.*; travelling expenses on such occasions (being the same in every county) 9*d.* a mile *out,* nothing for returning.

Manslaughter fees - - - - - - -	13*s.* 4*d.* per warrant.
Warrants of *fi. fa.* and *ca. sa.* directed to the coroner -	2 6

Attachment against the sheriff £2. 4*s.* 6*d.*, including the warrant 2*s.* 6*d.* The fees on inquests, and the travelling expenses upon such occasions, are the only charges upon the county rate. They both rest entirely upon statute.

Q. 1248. Have you served as coroner in the King's Bench prison?—*A.* Yes.

Q. 1249. Upon inquests taken in that prison, by whom is the fee paid?—*A.* In the King's Bench prison the fee is charged upon the relations of the deceased debtor, who are often too poor to pay it.

Q. 1250. Is that the case in any other prison?—*A.* I believe it to be the only instance.

Q. 1251. Upon inquests held in Newgate, what is the fee, and by whom paid?—*A.* The corporation of London allows 13*s.* 4*d.* for every inquest taken in Newgate.

Q. 1252. Is it not matter of complaint that coroners have no power of remunerating medical men attending before them, or of ordering the payment of the expenses of witnesses in general?—*A.* It is. I think a surgeon should be entitled to receive a fee of 20*s.*, to be paid him before he gives his evidence.

Q. 1253. And in the case of other witnesses do you think it would be reasonable and proper

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to make the same allowance for time and mileage as would be paid them for attending at the sessions?—*A.* Certainly, when they are taken out of the towns in which they live.

Q. 1254. If they are taken three miles from the town?—*A.* Yes.

Q. 1255. Is there any thing else you have to state connected with the coroner's office or duties?—*A.* By 3 and 4 Will. IV. the return as to deodands is now made to the Crown Remembrancer's Office. The return formerly went to the Crown Office, and was *traversable.*

No 19

Charles John Lawson, Esq., Clerk of the Peace for the County of Surrey, was called in and examined.

No. 19.
C. J. Lawson, Esq.

Q. 1256. Are you clerk of the peace for the county of Surrey?—*A.* I am.

Q. 1257. How long have you held the situation?—*A.* Forty-one years.

Q. 1258. What is the tenure of your office?—*A.* Good behaviour.

Q. 1259. By whom are you appointed, and how removable?—*A.* Appointed by the *custos rotulorum* of the county,—removable upon bill in sessions, that is, by indictment for misconduct.

Q. 1260. Do you execute the duties in person, or by deputy? *A.*—In person.

Q. 1261. By whom are you paid, and out of what fund?—*A.* By the county, out of the county rate, and by fees established by custom or statute; and, for new services, by charges upon the principle of a *quantum meruit.*

Q. 1262. Have the magistrates of the county, who administer the fund first-mentioned, (the county rate,) any control over the clerk of the peace?—*A.* Certainly they have in quarter sessions, as a body: that is to say, they can give directions to him to perform certain services, and I consider that he is indictable for wilful disobedience to a legal order of sessions.

Q. 1263. Do you receive any salary?—*A.* No; nor any allowance for attending quarter or adjourned sessions. At some of the latter I often expend £3 or £4 more than I receive.

Q. 1264. What is the authority for the fees you receive?—*A.* There is no authorized table of fees in Surrey. I take my fees according to ancient custom, except where settled in special cases by Acts of Parliament. Those which I take are, nearly all of them, contained in a return made to Parliament in 1693. I found an old table on coming into office; it belonged to my grandfather; and I take according to that table, with few exceptions.

Q. 1265. Have not the magistrates settled the fees of the clerk of the peace in your county? are they not aware they have authority?—*A.* The magistrates may settle the fees of the clerk of the peace by authority of 57 Geo. III.; but in general this has not been done,—in five counties out of twenty.

Q. 1266. Is it not very desirable that there should be a fixed and uniform table of fees?—*A.* I should approve of a settled table of fees in Surrey, which should be fixed up in court.

Q. 1267. What fees are receivable by the clerk of the peace in cases of felony tried at the sessions?—*A.* I have no fees of any kind in felony except for drawing indictments, which is an old statutable fee; and for orders to transport, or commit to the house of correction for hard labour, when the offence is transportable.

Q. 1268. Are you not entitled to acquittal fees in felony, now payable by the county?—*A.* Not in felonies. They were not customary fees in our county before the statute passed transferring the payment, which had been usually made before by the parties, to the county rate.

Q. 1269. What fees are receivable by the clerk of the peace in cases of misdemeanor tried at the sessions?—*A.* In misdemeanors I have a fee for drawing indictments, and it is of higher amount than in cases of felony, generally 3*s.* 4*d.* a count. I am also entitled to acquittal fees payable by the county, if the defendant be in custody; but, if on bail, by the party. The misdemeanors tried at session are now comparatively few, not one in fifteen of those formerly tried; and with respect to acquittal fees in misdemeanors, payable by defendants themselves, I rarely get them, on account of the poverty of the parties.

Q. 1270. Besides these, do you not receive fees or county allowances for other than sessional business?—*A.* Yes; for summoning and attending committees, drawing contracts, orders of session, &c.

Q. 1271. Are these uniform allowances, or settled fees? Do they proceed upon any fixed rate or scale?—*A.* The fees I get from the county for county business are of fixed amounts, settled by custom; they are ancient fees. The fee on appeals is the only fee increased in my time, as far as I recollect. Formerly, on every appeal the fee was 6*s.*, whether the appeal were only lodged and respited, or heard; now, it is 6*s.* on an appeal lodged and respited; if heard and determined, 10*s.* This alteration in the fees was made by the general consent of the solicitors of the respective parishes. It is no charge upon the county, but upon the parish. I think my fees are lower than in any county in England. My fee on the longest letter I write is only 1*s.*

Q. 1272. Do you send in any bills against the county for further services rendered, and what is their average amount?—*A.* I receive remuneration for county business in an annual bill. It is a bill for business done and money expended by the clerk of the peace for the county; such as attending committees, issuing precepts, drawing and enrolling orders, and it includes transportation fees.

For the acquittal fees of persons in ustody for misdemeanor, a separate bill is made out

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and an order made on the treasurer signed by myself; the number and amount of charge being first examined and certified by the chairman of the session to be correct.

Q. 1273. Do you say the bill is paid on your own order?—*A.* All orders on the treasurer are signed by the clerk of the peace, and not by the chairman. Transportation orders and house of correction orders are paid by an order of session, signed by the clerk of the peace; but they are previously examined and passed by a committee, and checked by the rolls of the session.

Q. 1274. Are we to understand that one bill, which you call your county bill, comprises the whole amount of your charges which fall upon the county rate, except the acquittal fees on misdemeanors when the defendant is in custody, which form a separate bill?—*A.* Yes.

Q. 1275. Does the county bill include, besides all fees and allowances for attending committees and transacting county business, the fees for transportation orders, and committals to hard labour in lieu of transportation?—*A.* It does.

Q. 1276. Is there any other bill besides those you have mentioned?—*A.* I have a bill under the Act relating to the registration of voters. Last year it was about £140. It makes part of the £1,610. 19*s.* 6*d.* total amount of receipt of my office returned by me to the House of Commons for 1833.

Q. 1277. What other fees are there paid by parties, which have not been mentioned?—*A.* There are office fees (for copies of proceedings, subpœnas, &c.) as well as court fees paid by parties. A defendant has to pay on his *plea*, as well as on his *acquittal*. If he traverses, which is rarely the case now, then there is what is called the Issue Book made up, which costs 5*s.* or 6*s.* more.

The crier in misdemeanors gets 6*d.* for swearing every witness and takes 10*s.* more on the trial; of which 6*s.* goes to the jury, 2*s.* to the summoning officer, and the remainder to himself. The fee for swearing a witness is paid by the party whose witness he is.

Q. 1278. Besides the bills for county business which you have enumerated, has not the county of Surrey also, like other counties, a solicitor's bill to pay?—*A.* The clerk of the peace for the county of Surrey not being a solicitor, the treasurer conducts all law proceedings, such as indictments for non-repair of bridges, &c., defending appeals against the county rate, &c. In other cases the clerk of the peace transacts all the business ordered by the quarter sessions to be done, such as drawing contracts, soliciting bills in Parliament, &c.; and that produces a great saving to the county. Clerks of the peace are, in general, solicitors; but in Middlesex, Surrey, and some other counties, this is not so. I am myself a barrister.

Q. 1279. Is there not a law which prohibits clerks of the peace from acting as solicitors at sessions, and is not such law disregarded?—*A.* Clerks of the peace are prohibited from practising as solicitors at sessions, but they very often practise by their partners.

Q. 1280. Do you tax the costs of prosecutions at the quarter sessions?—*A.* Yes.

Q. 1281. Do you analyze the magistrate's certificate, or do you take it as conclusive?—*A.* We take it as conclusive.

Q. 1282. Does it ever give the expenses of search and apprehension?—*A.* Not of search by name, but it is often, I believe, included in some of the other items. We find that different benches make different allowances. All that can be done by the session is, to *recommend* the magistrates to adopt one uniform scale, which is furnished them. The words in the Act are very general, viz., "And in otherwise carrying on the prosecution."

Q. 1283. You take, as certified by the magistrate, the account of the justices' clerks' fees, and the allowance for time and distance of the prosecutors and witnesses?—*A.* Yes; we cannot do otherwise. We think the allowances very high sometimes.

Q. 1284. What is the allowance at the sessions for expenses and loss of time?—*A.* 4*s.* a-day and 1*s.* 6*d.* for the night at the county session; at the town session 3*s.* a-day.

Q. 1285. Is that allowance sufficient to cover the actual expenses?—*A.* I think it is sufficient at the sessions.

Q. 1286. Will not the same allowances suit for the assizes and sessions; and, if not, why?—*A.* I think not; the expenses are higher at the assizes. A gentleman cannot get a bed at the assizes under £1. 1*s.*, nor a common person under 2*s.* 6*d.* A table framed by the magistrates, some time ago, was disallowed by the Judges, for this reason: the allowances in it were the same at the assizes as at the sessions. In practice, the rate fixed by that table is observed at the sessions, but not at the assizes.

Q. 1287. Is the allowance for mileage sufficient for both sessions and assizes, or is it too little for both or either?—*A.* I think the mileage enough. It will pay coach hire, and many of the witnesses go together in light carts or vans.

Q. 1288. Do you allow any thing for attorneys and counsel at sessions?—*A.* No.

Q. 1289. What is the effect of withholding such allowance?—*A.* A prolongation of the sessions.

Q. 1290. Does your order upon the treasurer for the expenses of prosecutions at the sessions state any particular of time, distance, &c., or does it only direct a payment of a sum in gross to the prosecutor and witnesses, by their respective names?—*A.* The order upon the treasurer is in the latter form, but we generally keep a paper containing all such particulars ourselves.

Q. 1291. If the clerk of the peace were to attend at the assizes for that purpose, might he not, with advantage to the county, tax the assize prosecutions?—*A.* Yes, he might; but the treasurer's clerk might do the same at less expense. We find that some revision is required, and the clerk of assize has no time to go into all the items.

Q. 1292. Can you suggest any improvement in the allowances; could there be a graduation; do you think the allowances for a day's time and expenses should be the same to a

respectable tradesman and mechanic, and to a day labourer?—*A.* I think there would be great difficulty in graduating them. All persons would try to be placed in the higher class. The only exception we have made is in the case of a surgeon in good practice, and that is a recent relaxation of the rule.

Q. 1293. What proportion do the fees paid, either immediately or remotely, out of the county rate, bear to the fees paid by individuals?—*A.* They are about one-half more than the fees paid by individuals.

Q. 1294. What is your opinion of the practicability and fitness of paying the clerk of the peace by salary instead of fees?—*A.* I should like very much the substitution of salary for fees; but I am bound to add, that I think it would be very injurious to the counties, because the clerks of the peace are generally solicitors, and they would employ their clerks in their own business before they set them on the business of the county; and the making up the records of the session, the enrolling of deeds, &c., would be neglected. I have been told, that in some public office, where they have substituted salary for fees, you cannot get the business near so well attended to as formerly. I should like the alteration very much, as I am very reluctant to take fees for pleas, acquittals, &c., from poor people; and I lose very many of such fees from the impossibility of getting them from indigent persons.

Q. 1295. Your objection proceeds upon the notion of the clerk of the peace being necessarily a solicitor. Suppose he were not so, what should you say?—*A.* If the clerk of the peace were not allowed to be in business as a solicitor, nor to have a partner who was, my objection might be obviated in some measure, but I still think the soundest principle is, that an officer should be paid according to his labour.

Q. 1296. What salary would, in such case, be adequate to secure the efficient services of a competent officer?—*A.* The office of clerk of the peace is a most laborious, important, and responsible one. He is the law-officer of the county and legal adviser of the Court of Quarter Sessions. He is a great check on the improper expenditure of the county rate; most of the orders on the treasurer pass through his hands; and if he finds any order of the justices, &c. for payment of demands to which the county rate is not liable, or any illegal claims, it is his duty to call the attention of the Court of Quarter Sessions to it. It is his duty to see that a claim already satisfied is not again brought forward, which has occurred in Surrey. If an accident happens to a bridge, and the passage over it is stopped, the clerk of the peace is the person applied to; and he, from his acquaintance with the records of the county, and his local knowledge, can generally ascertain whether the county or an individual is liable to the repair, and immediately call upon the proper party to repair, so that the public passage may not be impeded. Every magistrate thinks he has a right to the advice and assistance of the clerk of the peace in county matters, and to copies and extracts from his records. In his office are to be found the evidences of many persons' titles to property acquired under Inclosure Acts, rent charges, deeds of gift, proceedings for diverting roads, Insolvent Acts, and the title of the county to gaols, court-houses, bridges, and lands adjoining. There, too, are the records in criminal proceedings affecting the liberty of hundreds, the settlement of paupers, &c. An error of a clerk in making up a record once cost me £30. I think therefore the salary should be liberal; but, allow me to ask, is it contemplated that he should receive additional remuneration for extraordinary services?

Q. 1297. The purchase contemplated is of the whole man—all his science, skill, and labour; not, however, restricting the allowance of clerks for copying and other occasional assistance, properly regulated. In this light, what would be sufficient? £700 or £800 a-year has been mentioned for some counties.—*A.* £600 or £700 a-year might do in some counties. In mine it would be very inadequate to the services performed. The office is a very laborious one; the sessions are holden at four different places; and we try prisoners 13 times in the year, and 10 times in the year at the same place,—Newington.

Q. 1298. Do you speak of adjourned sessions, or do you hold intermediate sessions?—*A.* We have 10, sometimes 11, adjourned sessions, but no intermediate sessions, for the trial of prisoners. We hold one always before the assize to clear the gaol.

Q. 1299. Where are your prisoners principally tried?—*A.* The prisoners are tried, for the most part, at Newington. At the country sessions respectively, there are not more than eight or ten prisoners on an average.

Q. 1300. What number of magistrates are usually in attendance during the trial of prisoners at the country sessions?—*A.* On an average, ten or a dozen magistrates.

Q. 1301. What is the order of business? do you take the appeals or the prisoners first?—*A.* We try prisoners before the appeals.

Q. 1302. At Newington what is the ordinary attendance at trials?—*A.* During the first two or three days we have eight or nine magistrates.

Q. 1303. How long do the sessions continue?—*A.* The sessions generally last nearly a week; the adjourned session about four days. On the last day or two the chairman is very badly supported. Magistrates from the country seldom attend the adjournments. The duties of the chairman of the adjourned session are most laborious. He sits 11 times in the year, and upon an average four days at a time from ten till five o'clock. The weight of the business falls entirely upon him. His services are gratuitous. He is a barrister.

Q. 1304. Do you know the average amount of the expenses of prosecutions in the county of Surrey, taking the expenses usually comprised under the head "Prosecutions?"—*A.* On an average taken of three years, each prosecution costs at the assizes £13. 7*s.* 6*d.*; at the sessions £2. 13*s.* 4*d.*

Q. 1305. To what do you attribute the great difference between the expense of assize and of session prosecutions?—*A.* The assize cases are principally tried in the country, the sessions cases principally in town, and the allowances are small where witnesses are on the spot.

Examinations.

No. 19.
C. J. Lawson, Esq.
February 1836.

Then there is the allowance to attorneys and counsel at the assizes, while there is none at the sessions.

Q. 1306. Have you received from Government a moiety of the expenses of prosecutions in your case?—*A.* We have just received an order for it.

Q. 1307. What is meant by a moiety of expenses of prosecutions? what charges are included?—*A.* It extends only to half the amount of the orders of the clerk of assize or clerk of the sessions upon the treasurer of the county; appearing in the Return under the head "Prosecutions."

Q. 1308. It does not then include the expenses of conveying the prisoner to gaol, although it embraces the charges attending his commitment?—*A.* It does not.

Q. 1309. Nor his removal to a different gaol to take his trial or undergo his punishment?—*A.* No.

Q. 1310. Nor his acquittal fees, transportation fee, or fee on commitment to the House of Correction to hard labour, in lieu of transportation?—*A.* No; but the Government takes upon itself the whole of the cost of conveyance of transports.

Q. 1311. How many high constables have you in the county of Surrey?—*A.* We have 26.

Q. 1312. How are they appointed, and how paid?—*A.* We do not hold with the opinion that we can only appoint constables on the default of the leet. We consider that we have an original jurisdiction. We appoint constables in sessions, (both high and petty constables,) upon the certificate of magistrates of their fitness for the office. They are not paid, nor do they receive any emoluments. We consider it a duty imposed on every man by the common law.

Q. 1313. Do you easily get persons to fill the situation without reward, and what description of persons?—*A.* They are generally yeomen of the best class; some of them complain much of the burthen, and some of them appoint deputies.

Q. 1314. What are their duties?—*A.* They collect the county rates, serve precepts for returns of juries, notices, &c.

Q. 1315. Have they any authority over the petty constables?—*A.* They have; but they seldom exercise it. Sometimes they present them for neglect of duty. Occasionally they present nuisances at the sessions.

Q. 1316. Do not the petty constables get paid in Surrey?—*A.* They, in many instances, bring in bills against the parishes, and get them paid, but it is illegal.

Q. 1317. Being selected in your county, and only appointed on a certificate of magistrates that they are fit and proper persons to serve, are they tolerably qualified persons, and do they form at all an efficient force?—*A.* As they are originally recommended by the magistrates, and are narrowly watched by them, I think in our county they form a tolerably efficient force.

No. 20.

Thomas Tindal, Esq., Clerk of the Peace for the County of Bucks, was examined as follows:

No. 20.
T. Tindal, Esq.

Q. 1318. Are you clerk of the peace for the county of Bucks?—*A.* Yes, I am.

Q. 1319. How long have you held the situation?—*A.* I was appointed clerk of the peace in 1813, but had conducted the business for my predecessor four years before.

Q. 1320. What is the tenure of your office?—*A. Quamdiu se bene gesserit.*

Q. 1321. By whom are you appointed, and how removable?—*A.* Appointed by the *custos rotulorum;* removable in case of misconduct.

Q. 1322. Do you execute the duties in person?—*A.* In person; except in the second court, where my son acts for me.

Q. 1323. By whom are you paid, and out of what fund?—*A.* By order of the justices, and out of the county rate.

Q. 1324. Have you a salary, and are you paid in part by bill or by fees?—*A.* I have no salary: I am paid by fees, and by a quarterly bill upon the county.

Q. 1325. Have the magistrates of the county, who administer the fund first mentioned, (the county rate,) any control over the clerk of the peace?—*A.* Decidedly so. If the magistrates make an order that is legal, the clerk of the peace is bound to obey it.

Q. 1326. Has any practical inconvenience arisen within your knowledge, or is it likely to arise, from the appointment of the clerk of the peace being in the *custos rotulorum,* and the magistrates having no power of removal, except for misbehaviour?—*A.* Certainly not. There exists a proper feeling, a respect, and a confidence, on both sides, which renders it unlikely.

Q. 1327. What is the authority for the fees you receive?—*A.* Usage. There is an old table of fees which I found in the office, and which has been my guide, but it is not made under any authority. For new services I make charges similar to those in the table.

Q. 1328. Have not the magistrates settled the fees of the clerk of the peace in your county; are they not aware they have the authority?—*A.* They are aware of their authority, and the exercise of it has been talked of, but it has not been done: they thought there would be a general table framed for the whole kingdom, and that it was not worth their while going into the subject.

Q. 1329. Is it very desirable that there should be a fixed and uniform table of fees?—*A.* I should like to have an authorized table, but I am not satisfied that it is desirable to have a uniform table for all counties: when a service very frequently occurs, it may be performed for a lower fee than when it rarely occurs. In Surrey the clerk of the peace receives for a

particular item 1*s.* where I get 3*s.* 6*d.*; but the greater number of cases makes his fee produce a larger sum and a better remuneration than mine.

Q. 1330. What fees are receivable by the clerk of the peace in cases of felony tried at the sessions?—*A.* In the county bill the clerk of the peace has a fee of 13*s.* 4*d.* for trying the prisoner and recording the sentence; in all cases alike, both of felony and misdemeanor.

Q. 1331. Does that include the fee for drawing the indictment?—*A.* No.

Q. 1332. Are you not entitled to acquittal fees in felony, now payable by the county?—*A.* No: it was not a customary fee with us before the passing of Mr. Benett's Act.

Q. 1333. Do the clerks of the peace procure payment of the fees payable by defendants in misdemeanors, and are they considerable?—*A.* Very seldom, and very few. In misdemeanors the traverses at the sessions were, in Bucks,

In 1829	20
In 1830	3
In 1831	2

Q. 1334. Besides these, do you not receive fees or county allowances for other than sessional business?—*A.* Yes.

Q. 1335. Are these uniform allowances, or settled fees? do they proceed upon any fixed rule or scale?—*A.* The allowances are the usual professional fees, such as were paid to my predecessor.

Q. 1336. Do you send in any bills against the county for further services rendered, and what is their average amount?—*A.* Yes, county bills quarterly. I beg to refer to a comparative statement of the receipts and disbursements of the treasurer of the said county stock for ten years, from Easter 1821 to Easter 1831, inclusive, showing the bills for business. In

	£.	*s.*	*d.*
1821 to 1822	455	11	8
1822 to 1823	502	18	5
1823 to 1824	510	10	2
1824 to 1825	522	14	6
1825 to 1826	581	7	8
1826 to 1827	541	8	4
1827 to 1828	543	7	10
1828 to 1829	498	8	0
1829 to 1830	712	1	2
1830 to 1831	843	3	5

Q. 1337. Is your bill paid on your own order?—*A.* Yes; the amount first ascertained and signed by the chairman of a committee of magistrates.

Q. 1338. Have you any fee on such order for the payment of your own bill?—*A.* No; we have none on money orders. There is a fee for the copy of such order. Other clerks of the peace have also a fee for drawing and entering such orders.

Q. 1339. Does the county bill include, besides all fees and allowances for attending committees and transacting county business, the fees for transportation orders and committals to hard labour in lieu of transportation?—*A.* Not the last mentioned. The 13*s.* 4*d.* for trying the prisoner and recording the sentence includes the committal to hard labour in the House of Correction.

Q. 1340. Is the bill under the Act relating to the registration of voters a separate bill?—*A.* It forms a separate bill.

Q. 1341. Is the solicitor's bill for professional charges another distinct bill?—*A.* The solicitor's charges are included in the same bill, unless it be the costs of a prosecution in case of a bridge or something of a like nature.

Q. 1342. Do you tax the costs of prosecutions at the quarter sessions?—*A.* I do.

Q. 1343. Do you analyze the magistrates' certificate, or do you take it as conclusive?—*A.* I analyze it, and sometimes do not allow the whole.

Q. 1344. Does it ever give the expenses of search and apprehension?—*A.* Always, whenever they occur. They are included in our form.

Q. 1345. Do you examine, or do you take as certified by the magistrates, the account of the justice's clerk's fees, and the allowances for time and distance of the prosecutors and witnesses?—*A.* Our form contains a detail of the fees of the justices' clerks, and of the allowances to prosecutors and witnesses, and of the allowances to constables, and if I find the scale exceeded I strike it off.

Q. 1346. What is the allowance at the sessions for expenses and loss of time?—*A.* The *maximum* is 3*s.* per day and nothing for the night, and the mileage 1*s.*, except in the case of medical men and attorneys, when £1 per day is allowed.

Q. 1347. Is that allowance sufficient to cover the actual expenses?—*A.* With the mileage, which is also allowed, it is in many cases more than sufficient.

Q. 1348. Will not the same allowances suit for the assizes and sessions; and, if not, why?—*A.* No; because at the assizes greater charges are made by the innkeepers.

Q. 1349. Is the allowance for mileage sufficient for both sessions and assizes, or is it too little for both or either?—*A.* The mileage I think is fully sufficient for both assizes and sessions, but I believe that at the assizes they allow 1*s.* 6*d.* after twenty miles, to make up the allowance for time and trouble, which is inadequate.

Q. 1350. Is not that a bad mode of allowing for time and expenses?—*A.* It is; but then I think the allowance of 5*s.* is too little without it.

Q. 1351. Do you allow any thing for attorneys and counsel at sessions?—*A.* Only in cases of difficulty; and when I have any doubt of their being fit cases I apply to the chairman.

Examinations.

No. 20.
T. Tindal, Esq.
February 1836.

Q. 1352. With what effect, as regards both expense and time, is such allowance attended? —*A.* In the cases in which we do allow them I think they are the means of saving time, and consequently expense.

Q. 1353. Does your order upon the treasurer for the expenses of prosecutions at the sessions state any particular of time, distance, &c.; or does it only direct a payment of a sum in gross to the prosecutor and witnesses, by their respective names?—*A.* It only furnishes the particulars of the number, and not the names, of witnesses; and distinguishes the amount of charges before the committing magistrate, and the amount at the quarter sessions.

Q. 1354. If the clerk of the peace were to attend at the assizes for that purpose, might he not, with advantage to the county, tax the assize prosecutions?—*A.* Knowing the distances of places, and the situation of parties, I think he might, especially if he had a discretionary power of making the allowances the *maximum*. If he is to be paid by fees, and for his time and attendance, I think the saving doubtful; if you suppose him a salaried officer, you would save money.

Q. 1355. Can you suggest any improvement in the allowances? could there be a graduation? do you think the allowances for a day's time and expenses should be the same to a respectable tradesman and mechanic and to a day labourer?—*A.* I think they ought not; with us 3*s.* is the *maximum*, and I do not always allow it in the case of a day labourer, but in the case of a tradesman I think it too little.

Q. 1356. What proportion do the fees paid, either immediately or remotely, out of the county rate, bear to the fees paid by individuals?—*A.* I think the fees paid by individuals are not one-fifth part.

Q. 1357. What is your opinion of the practicability and fitness of paying the clerk of the peace by salary instead of fees?—*A.* If you allow a sufficient salary and a sufficient establishment I think you may have the business done more satisfactorily, but I do not think there would be any great saving.

Q. 1358. What salary would, in such case, be adequate to secure the efficient services of a competent officer?—*A.* Before I could answer that question I must know what establishment would be allowed me.

Q. 1359. Do you hold any intermediate sessions in Bucks?—*A.* Not for the trial of prisoners; we have adjourned sessions, but not for criminal business.

Q. 1360. At your general quarter sessions have you always two courts?—*A.* We always divide the court under the late statute.

Q. 1361. Do you keep a numerous attendance of magistrates after appeals are tried, and the county business transacted?—*A.* We have now no appeals to try, and we do not take the county business till the third day.

Q. 1362. Then you do find the magistrates remain for the third day in that case?—*A.* Many of the magistrates do not appear till that day.

Q. 1363. What number of magistrates are usually in attendance during the trial of the prisoners at the county sessions?—*A.* On an average about half a dozen magistrates in each court.

Q. 1364. Is not the attendance much larger when the county business is transacted, and any appointment of officers is to take place?—*A.* No doubt it is.

Q. 1365. How are high constables appointed and paid in the county of Bucks?—*A.* They are appointed by the court of quarter sessions upon the recommendation of magistrates in petty sessions, and paid by salaries, and they get some fees from petty constables for serving notices upon them, as I believe.

Q. 1366. How are petty constables paid?—*A.* Every petty constable has a bill upon his parish.

Q. 1367. Is your parish constabulary force at all efficient? Would not a regular district police for the county be a great improvement, and would it be attended with great additional expense?—*A.* Some of our present high constables are extremely good police officers. A regular police for the county would be a great improvement, but would be attended, I think, with greatly increased expense, though I am not acquainted with the details.

No. 21.

William Shuttleworth, Esq., Clerk to the Magistrates of the Borough of Liverpool, was called in and examined.

No. 21.

Wm. Shuttleworth, Esq.

Q. 1368. Are you a clerk to magistrates?—*A.* I am.

Q. 1369. How long have you acted as such justices' clerk?—*A.* I have acted for about two years as a principal, and before that was a clerk in the office of my predecessor.

Q. 1370. How are you appointed and removable?—*A.* I am appointed by the magistrates, and removable at their pleasure, under the Municipal Reform Act.

Q. 1371. How are you paid?—*A.* Before the Municipal Reform Act I was paid by fees; since that Act, it is in contemplation to pay the clerks to the magistrates by fixed salary.

Q. 1372. Is there any table of fees for the magistrates' clerks established in the county of Lancaster?—*A.* There is a table of fees to be received by magistrates' clerks for the whole county.

Q. 1373. What fees are payable for business done out of sessions?—*A.* With us no business is transacted out of petty sessions.

Q. 1374. To whom do you consider those fees to be properly and strictly due and payable; are they claimable by the clerk, or are they at the disposal of the magistrate?—*A.* Due to

Examinations.

No. 21.
Wm. Shuttleworth, Esq.
February 1836.

and claimable by the clerk, though I believe some of the old statutes mention fees to be paid to the justice.

Q. 1375. What fees are payable for business done at petty sessions?—*A.* Fees on conviction and committals.

Q. 1376. What record is kept of proceedings at petty sessions? Who is charged with the custody of informations, examinations, convictions, &c.?—*A.* Books are kept of the names of all prisoners brought before the magistrates, and a record of all penal informations brought before him, and the judgment of the magistrate is entered by the magistrate himself. We, as magistrates' clerks, keep all documents.

Q. 1377. Whose province and duty is it to register the amounts directed to be paid for costs, damages, and expenses, and the fines and penalties inflicted?—*A.* We consider it our duty to register the amounts.

Q. 1378. Where are the petty sessions held? Who is the court keeper; and, if a bailiff, how is he remunerated?—*A.* We have a court-room for the purpose in Liverpool. The court keeper is appointed by the corporation of Liverpool, and paid by salary.

Q. 1379. Are they not often held at public-houses in the county of Lancaster?—*A.* Not in our neighbourhood, that I am aware of.

Q. 1380. At what times are they held; at regular and stated times?—*A.* In Liverpool the magistrates sit in petty sessions every day, the county magistrates in the neighbourhood sit in petty sessions every week, or, at all events, every fortnight.

Q. 1381. Would it not be an improvement to constitute the court of petty sessions a court of record, and have the clerk a recognised officer of such court?—*A.* That requires more consideration than I have been able to give to the subject.

Q. 1382. What are the fees payable to the clerk for proceedings before the committing magistrate?—*A.* We charge no fees to prosecutors upon committal for felony or misdemeanor.

Q. 1383. Are not copies of the depositions always charged for whether required or not? Are not the fees on recognisances oppressive?—*A.* Certainly not; we never make copies of any depositions unless called for. I do not consider the fees on recognisances oppressive; the fee with us is only 2*s.* 6*d.*, which includes the recognisance and the notices of the time of the sessions.

Q. 1384. Are not the fees paid in the first instance, on preferring a charge before a magistrate, a discouragement to bringing offenders to justice?—*A.* In the case of a poor man we do not take a fee; if the party applying states himself unable to pay for the summonses, the magistrates order it free of charge.

Q. 1385. Are not the fees upon summary conviction in general so heavy as, when united to the damages and expenses, to make it impossible to inflict the proper amount of fine?—*A.* Our fees are not heavy; on an assault conviction, including all charges, the fee is 4*s.*, out of which we return to the complainant anything he may have paid; and upon a penal information the cost is 8*s.* 6*d.*, and if complaining party has deposited anything the whole is returned to him.

Q. 1386. Are not the damages, expenses, and fine together, so high in a plurality of cases as to be beyond the defendant's ability to pay, and to occasion him generally to be sent to prison?—*A.* In the great majority of our cases the fines are paid without committal.

Q. 1387. Do you think the magistrate's clerk at petty sessions would readily undertake the conduct of all prosecutions from his own board at the assizes and sessions, with other duties closely connected therewith, for a salary from the county?—*A.* I think he would, and that it would be a most excellent arrangement. It would prevent prosecutors being in the hands of the lowest class of attorneys, and it would obviate the objection made to magistrates' clerks at present, that they are interested in procuring a committal. They are the best acquainted with the case and will make the fittest persons. The town court of Liverpool has made it part of the duty of assistant town clerk to conduct prosecutions.

Q. 1388. Do the magistrates' clerks ever act as advocates for the parties at your board or petty sessions?—*A.* Never.

No. 22.

William Smith Tootell, Esq.

No. 22.

W. Smith Tootell, Esq.

Q. 1389. Are you a clerk to magistrates, and of what county and division?—*A.* I am clerk to the magistrates acting for the hundred of Gore, in the county of Middlesex.

Q. 1390. How long have you acted as such justices' clerk?—*A.* For the last eighteen years and upwards.

Q. 1391. How are you appointed and removable?—*A.* I was appointed by the magistrates in 1817, and am removable, I conceive, by the acting magistrates for the division.

Q. 1392. How are you paid?—*A.* By fees.

Q. 1393. Is there any table of fees for the magistrates' clerks established in the county of Middlesex?—Yes; approved by the Judges in 1822.

Q. 1394. What fees are payable for business done out of sessions?—*A.* See the accompanying table. (The Middlesex Table to be taken by the clerks to justices.)

Q. 1395. To whom do you consider those fees to be properly and strictly due and payable; are they claimable by the clerk, or are they at the disposal of the magistrate?—*A.* I conceive that the fees are payable to the clerk, and are not at the disposal of the magistrate.

To face page [1]

COUNTY OF SOMERSET.

owing the Subdivisions for Petty Sessions, as arranged by the Quarter Sessions in 1829; also the Population, the Number of Committals, and the Number of Prisoners for Trial, in 1831, nd the Proportion paid to the County Rate by each Subivision, when the sum of £542 18s. 7¾d. is to be raised.—Drawn for the fuller exemplification of the Report of a Comittee of Magistrates, appointed December 30th, 1833, to inestigate the County Expenditure, with a view to every practical duction therein, and into the expediency of a Judicial Division the County.)

EXPLANATION OF THE MAP.

B—the political boundary of East and West Somerset.
risons—C. & P. cost to county rate of *conveyance* to prison *prosecution*, 1831.
aces of assize and quarter sessions.
aces of petty sessions.

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Explanation of the Map.

to B.—the political boundary of East and West Somerset.
Prisons—*C. & P.* cost to county rate of *conveyance* to prison
of *prosecution*, 1831.
Places of assize and quarter sessions.
Places of petty sessions.

	Population.	Proportion of £542 County Rate.
		£
In East Somerset . .	238,045	345
In West Somerset . .	165,863	227
In the whole county .	403,908	542
Excess in East Somerset	72,182	88

Somersetshire, as compared to the forty English counties, is the
rth in value of property, the fifth in length, the seventh in
, and the eighth in population.
East Somerset has a greater population than twenty, and West
merset a greater population than twelve, of the forty English
unties respectively.
Somersetshire contains 42 hundreds, having 474 parishes.

Amount of county rates levied in 1831	.	£21,231
,, ,, 1832	.	22,226
,, ,, 1833	.	22,118

1831 Taunton and Bridgewater assizes occupied	.	17 days.
2 Wells quarter sessions, 1 Taunton, and 1 Bridgewater do.	.	21 do.
Total days	.	38

umber of law causes at Lent assize in 1831—Taunton	.	43
Do.* do Lammas assize 1831—Bridgewater		31
Total law causes	.	74

ppeals and traverses determined in 1831 at 2 Wells quarter sessions	40
do. do. at Taunton and Bridgewater	38
Total appeals, &c.	78

1831.	No. of Committals.	No. for Trial.	Cost of Conveyance to Prison.	Charges of Prosecution.
			£	£
From the ten eastern subdivisions	1,344	529	1,256	3,296
From the western ditto	500	286	306	1,409
The whole county	1,844	815	1,562	4,705
From Bath division only	769	239	800	1,405
Difference between Bath division and the whole county	1,075	576	762	3,300

Bath, from the nearest prison . . . . 17 miles.
Do. from Taunton assizes and sessions . 45 do.
Do. from Bridgewater do. do. . . . 38 do.

* There is now but one assize at Wells in two years.

	Population.	No. of Committals.	No. for Trial.
The six most eastern divisions	151,040	1,047	362
The five most western ditto (larger in space) . . .	40,554	78	37
Excess in eastern divisions .	110,486	969	325
In 13 subdivisions for petty sessions: Eastward of Taunton and Bridgewater divisions .	312,130	1,529	615
In the subdivisions westward of do. do.* . . .	40,554	78	37
Excess eastward . . .	271,576	1,451	578

On an average of one prosecutor and three witnesses to each prosecution, paid for by the county, from East Somerset, in 1831, 63,000 miles were charged to the county rate, the cost of which would have been saved if the judicial business done at Taunton and Bridgewater had been transacted at Wells.

* Excepting the Minster division, all the places of commitment in these thirteen subdivisions are nearer to Wells than Taunton or Bridgewater.

Examinations.

No. 22.
W. Smith Tootell, Esq.
February 1836.

Q. 1396. What fees are payable for business done at petty sessions?—*A.* See the accompanying table.

Q. 1397. What record is kept of proceedings at petty sessions? Who is charged with the custody of informations, examinations, convictions, &c.?—*A.* A book of minutes; the clerk is charged with the custody of informations and examinations; the convictions are returned to the quarter sessions.

Q. 1398. Whose province and duty is it to register the amounts directed to be paid for costs, damages, and expenses, and the fines and penalties inflicted?—*A.* The clerk's.

Q. 1399. Where are the petty sessions held? Who is the court keeper, and, if a bailiff, how is he remunerated?—*A.* The petty sessions are held at Edgeware, at an inn there. There is neither court keeper nor bailiff.

Q. 1400. Are they not often held at public-houses in the county of Middlesex?—*A.* I believe in all cases they are held in inns or public-houses in the country.

Q. 1401. At what times are they held; at regular and stated times?—*A.* Yes; every fortnight, and oftener if necessary, on fixed days.

Q. 1402. Would it not be an improvement to constitute the court of petty sessions a court of record, and the clerk a recognised officer of such court?—*A.* Yes; I think it would unquestionably.

Q. 1403. What are the fees payable to the clerk for proceedings before the committing magistrate?—

		£.	*s.*	*d.*
A.	For the Information	0	1	0
	Oath to same	0	1	0
	Summons or warrant	0	1	0
	Hearing	0	1	6
	Conviction	0	2	6
	Commitment	0	1	0

Q. 1404. Are not copies of the depositions always charged for, whether required or not? Are not the fees on recognisances oppressive?—*A.* I have never charged for copies of the depositions, unless they have been required, which is rarely the case; and in the country I believe the copies of depositions are seldom or ever charged for unless required, but the practice in London may be found to be otherwise. The fees for recognisances, as appear by the table, are not oppressive; 2*s.* 6*d.* in most cases, in some few 5*s.*

Q. 1405. Are not the fees paid in the first instance on preferring a charge before a magistrate a discouragement to bringing offenders to justice?—*A.* The fees are so trifling on preferring the charge, that I should conceive it is not a discouragement; in fact they are rarely paid until after the case is heard.

Q. 1406. Are not the fees upon summary conviction in general so heavy, as, when united to the damages and expenses, to make it impossible to inflict the proper amount of fine?—*A.* They are generally about 8*s.*, and I do not consider it has that effect.

Q. 1407. Are not the damages, expenses, and fine together, so high, in a plurality of cases, as to be beyond the defendant's ability to pay, and to occasion him generally to be sent to prison?—*A.* Certainly they are.

Q. 1408. Do you think the magistrates' clerks at petty sessions would readily undertake the conduct of all prosecutions from their own board at the assizes and sessions, with other duties closely connected therewith, for a salary from the county—the question being understood to apply only to clerks who belong to the profession of the law?—*A.* A very great advantage would arise from such an arrangement.

Q. 1409. Does the magistrate's clerk ever act as advocate for the parties at your board or petty session?—*A.* Very rarely in any other cases than those arising from matters connected with his office of vestry clerk of those parishes for which he acts within the division, and in those matters he invariably acts as advocate; but unquestionably it is an objectionable practice.

PAPERS REFERRED TO IN GENERAL BATHURST'S EVIDENCE.

Papers referred to in General Bathurst's Evidence.

Report of the Committee at Glastonbury, appointed to consider the Expenditure and a Judicial Division of the County of Somerset. See Appendix, No. 1.

The committee appointed at the last Epiphany Quarter Sessions, December 30th, 1833, "to investigate the county expenditure, with a view to every practicable reduction therein, and to consider the expediency of making a judicial division of the county," beg leave to report thereon, and they have taken the heads of expenditure in the order they stand in the county accounts.

The average expense of the last ten years has been about £1,200 per annum. If the county funds could be relieved from the repair of the roads adjoining to and over the bridges, it would save a very large proportion (more than half) of the present charge, and prevent such numerous bills, and the necessity of making magistrates act as waywardens to so many little patches of road. Bridges.

We do not consider that, in the present circumstances of the country, the spirit of the original Act (22 Henry VIII. c. 5) bears out the claims latterly made on the county by the turnpike trusts, nor do we see why a larger demand should be made on the county by these trusts than they make on the parishes for a similar extent of road; and, where the county bridges are not in turnpike roads, it would be far more economical and convenient if an allowance could be made to the parish to keep them in repair.

The expense under this head, materially increased since the Act of 1815, and doubled since 1818, appears to be a great and increasing burden. The fees are higher on this circuit than in most others; the charge is only for fees formerly claimed, but seldom obtained from poor prisoners, and does not include a large sum paid to the same officers as fees of court on prosecutions in felony, and charged under that general item in the county accounts, and which we calculate at £400 a-year, in addition to £350, average of prisoners' fees. Clerk of Assize and Judges' Officers.

This charge averages for the last three years £700 a-year, but does not include the fees of prosecutions in felony and some misdemeanors, paid by the county under that head, and which we calculate at £200 a-year additional. Clerk of the Peace.

We recommend a revision of his table of fees, and we do not see why the county should pay the salary of the officer acting in the second court, when the clerk of the peace is receiving from the county fees on prosecutions in that court to a much larger amount than the salary of the officer acting there, and also £100 a-year in lieu of acquittal fees in that court, and other fees from individuals in misdemeanors in the same court. We also consider that his allowance for ordinary business is so liberal, that two guineas a day, besides his expenses, would be sufficient for any extra business, instead of three, which is now charged.

We recommend that the constables should be paid 3*s.* 6*d.* a day, which is the same allowance as to prosecutors and witnesses, and that their number at the assizes be reduced, and, if practicable, that they may be dispensed with altogether. Constables.

In treating of this very important branch of the county expenses, we come to the consideration of the expediency of some change in the judicial arrangements of the county. Whatever causes formerly influenced the selection of the existing places for holding the assizes and quarter sessions, it is evident they do not accord with the present circumstances of the county; for, whilst the larger part of the judicial business is transacted in the western portion, a large majority of the inhabitants, and still larger proportion of crime, are towards the eastern extremity. Felons, prosecution of.

To elucidate this your committee annex to their Report a lithographic map, arranged by Captain Scobell, showing the boundaries, the population, the committals, and other local particulars, of each sub-division for petty sessions. It will be seen that putting out of calculation the sub-divisions of Taunton and Bridgewater, which divide Somersetshire into two parts, (and are of course convenienced by the assizes and sessions now holden within them,) that west of those sub-divisions the inhabitants in 1831 were 40,554; the committals 78; and the prisoners for trial 37;—but, east of these same sub-divisions, the population was 312,130 (being as eight to one); the committals 1,529 (being as nineteen to one); the prisoners for trial 615 (being as seventeen to one); and that all the sub-divisions for holding petty sessions east of Taunton and Bridgewater (except Ilminster) are more distant from both these towns than from the city of Wells, at which only one assize in two years is held. Reasons for change of judicial arrangements. See Appendix, No. 3.

The committals from the Bath sub-division alone (a trifling proportion in space) were above one-third of those of the whole county in 1831, and considerably more than from its entire western division; and the cost of the conveyance to prison from this single sub-division (of Bath) was rather more than from all the nineteen other sub-divisions of the county together.

The numbers for trial in this said sub-division of Bath are also nearly one-third of those of the whole county, and with this great disparity—Bath is 17 miles from any county prison, 46 miles from Taunton, 40 from Bridgewater, and 20 from Wells, at which places only the judicial business is done.

A reference to the map will further show that whilst, in the five extreme western sub-divisions, the population in 1831, as above mentioned, was 40,554, committals 78, and prisoners for trial 37, the smaller area comprised in the six extreme eastern sub-divisions had in that year 151,040 inhabitants, (being as near four to one,) 1,047 committals, (as thirteen to one,) and 362 prisoners for trial, (as nine to one,) and the average distance of these latter sub-divisions is—from Taunton 42, and from Bridgewater 36 miles.

These circumstances show that some changes in the judicial arrangements are required, and may assist the court in the selection of one of the plans which the committee now submit for consideration.

To apply for an Act to hold the Easter sessions before the Spring assizes, and to have one annual assize at Wells, and each quarter sessions adjourned from west to east, and *vice versâ*, or to hold intermediate sessions, as is done in some counties. First plan.

To apply to have each assize commence in the west and conclude in the east, and the quarter sessions as in the first plan. Second plan.

Papers referred to in General Bathurst's Evidence.

To apply to have a judicial division of the county, with the assizes and quarter sessions for East Somerset at Wells and Bath, and at Taunton and Bridgewater for West Somerset.

The town nearest the centre of space in the county is Glastonbury, while the centre of population is at or near Wells.

Third plan.

N.B. The very voluminous details of the year 1831 have been carefully analyzed, and are assumed as the basis of calculation; and, from the necessary delay and difficulty of obtaining those of 1832 and 1833, the committee preferred confining their attention to one year, which happened to be first presented to them, but the committee believe that any variations in them would not affect the correctness of their general deductions.—*See Appendix*, No. 4.

If Bath should have a local judicature, and Bedminster be attached to that of Bristol, Wells alone might be the place of assizes and sessions for East Somerset.

Saving (part of) obtained.

There is necessarily some uncertainty in ascertaining the relative reduction of the county rate from these plans, but from calculation it is probable that the saving of expense of prosecutions only in East Somerset would be as follows:—

Saving by the first plan, £900.

36,000 miles, at 4*d.* a mile, saved to the county in allowance to prosecutors and witnesses	£600
3*s.* 6*d.* a day allowance for time	300
	£900

By second plan, £1,600.

63,000 miles saved as above	1,050
Saving in time allowance	550
	£1,600

By third plan, £2,100.

78,000 miles saved as above	1,300
Time allowances	800
	£2,100

These reductions would be out of only £3,200, which was the expense of East Somerset in 1831 for prosecutions. If the prisoners increase, the saving would be in proportion. In West Somerset the two first plans would but slightly affect the charge of prosecutions, and chiefly in the time allowances. The third plan would reduce the expense of prosecutions about one-third.

Taking into consideration these several plans, we recommend the adoption of the second as the most practicable and expedient. The first plan is not a sufficient remedy; and, although the third plan would reduce the expenses of prosecution largely, other new and considerable costs would be incurred from its adoption.

Other considerations in favour of change.

But, besides saving the county rate, there are still greater public considerations which depend on an alteration of the present system.

The places for holding the assizes and sessions may be so arranged as to lessen most materially the present expensive and harassing demands on the finances and time of all plaintiffs and defendants, and their witnesses, in civil actions; as well as of parishes in appeals, and of grand, special, and petty jurors. Some change is, therefore, most important to the public at large, and will render justice more accessible.

Printing and stationery.

The charge under this head was formerly very trifling, but since the year 1810 has greatly increased, and requires minute investigation. The charge for printing the register of voters appears extravagantly high, and, as the expense may be of frequent recurrence, it is expedient to put it on the most economical footing; and, having ascertained the practice of many other counties, we recommend that in future the printing be done in the county, and not in London, and that the registers be not printed except when wanted, which may not be every year.

The charge for printing the calendars is high. We recommend that one column should show the sub-division the prisoner was committed from.

Conveyance of prisoners.

We recommend that the contract system be adopted for the conveyance of prisoners to gaol from the Bath or any other sub-division where the commitments are numerous, and that the table of allowances be revised, as it could not be intended that 3*s.* a-night and 1*s.* 6*d.* a-day should be paid when prisoners are confined in a local gaol, as they are at Bath, Wells, Bridgewater, and other places, often for two or three days. *Tenders for the above will be presented at the quarter sessions.*

Keepers of prisons.

We consider the dietary of our prisons is far beyond that of the industrious poor, and tending to encourage vagrants and others to seek to be committed. We therefore recommend less indulgence in food, as by the annexed rate of allowance, leaving the surgeon or visiting magistrates to increase it where it may be necessary for the health of the individual.

See Appendix, No. 2.

We are also of opinion that a considerable saving may be made in the expense of conveying prisoners to and from trial, by using waggons and common draught horses instead of post horses; and we recommend that the experiment be made, as persons are ready to contract.

We also recommend a revision of the salaries of the officers at Ilchester gaol, to place them more on a par with those at the houses of correction.

In conclusion we cannot but remark that the extraordinary tendency of modern legislation to throw such various and numerous charges, which were formerly unheard of, on the county rate, must, if persisted in, produce a rapid and oppressive increase in this secondary species of taxation, so peculiarly affecting the land, and so little under the check of personal responsibility, by which most large public expenditures are controlled; and the more numerous and varied the items, the less chance is there of their being minutely and accurately examined at the quarter sessions. Indeed many of them are not under their control, though paid by them.

We beg to point out one modern charge as an example.

Since the payment of prisoners' fees, and the fees of court, and counsel and attorneys, in prosecutions, and latterly still more extensive openings by the payment of expenses previous to commitment, the profession of the law is enriched from the county rates, and this for the most part concealed from the public eye by the charges being included under the heads of prosecutors' expenses; but the county of Somerset now pays annually for law claims as much as the amount of the *whole* county rate in any year up to 1780, and we are of opinion that nothing short of legislative interference, to take off some

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of the heaviest and most increasing expenses for the administration of justice, can effectually remove the evil.

Papers referred to in General Bathurst's Evidence.

JAMES ADAM GORDON, Chairman.
RICHARD STRACHEY.
MALACHI BLAKE.
JOHN PARISH.
GEORGE TREWEEKE SCOBELL.
W. PROCKTER THOMAS.
RICHARD MEADE KING.
C. A. MOODY.
HENRY MIREHOUSE.
JAMES BATHURST.

Glastonbury, March 24, 1834.

APPENDIX.

No. 1.—*Extracts from Minutes of the Fourth Committee Meeting at Glastonbury, March* 24, 1834.

Present, the Ten undermentioned Members.

Sir James Bathurst, K.C.B., was requested to read the Report, which the committee at their last meeting had appointed himself, G. T. Scobell, Esq. R. N., C. A. Moody, Esq., and Dr. Blake, to draw up. The same was accordingly read, when J. A. Gordon, Esq., moved that a fourth plan, proposed by him for the judicial division of the county, should be stated in the Report, but was not seconded. G. T. Scobell, Esq., R. N., moved, seconded by C. A. Moody, Esq., that the Report be received and confirmed by the committee, which was carried *nem. con.* G. T. Scobell, Esq., R.N., moved, seconded by the Rev. G. P. Thomas, that, "as it is very desirable that the magistrates should have as much time as possible to inform themselves on the various subjects contained in the Report now confirmed by this committee, previous to its consideration at the next quarter sessions, two hundred copies be immediately printed and circulated to each acting magistrate, with the lithographic map ordered to be prepared at the last committee meeting." J. A. Gordon, Esq., moved an amendment, that, admitting most fully there were strong reasons in this case for departing from it, the usual line of proceeding should be followed, and that the Report should be first presented at the Sessions previous to its being printed, which was seconded by Dr. Blake, when there appeared—

For the immediate Printing. G. T. Scobell, Esq., R. N.; Rev. W. P. Thomas; John Parish, Esq., R. N.; Rev. H. Mirehouse; Richard Strachey, Esq.—*Against.* J. A. Gordon, Esq.; Malachi Blake.—*Declined Voting.* Sir James Bathurst, K.C.B.; C. A. Moody, Esq.; R. M. King, Esq

The Chairman was instructed to have the same printed at Bristol forthwith, and forwarded.

No. 2.—*Table of proposed Diet.*

Per Day . . .	One Pound of Bread.
,, . . .	One Pound and a half of Potatoes.
,, . . .	One Pint of Oatmeal Gruel, made of one ounce of Meal.
,, . . .	One Pint of Soup additional on Sundays.

Boys and Girls will have their relative proportions as heretofore ordered.

No. 3.—*Summary*, 1831.

Divisions.	Sub-Divisions.	PRISONERS. Charges of Conveyance to Prison.	Number conveyed.	For Time.	For Trial.	Charges of Prosecution.
		£. s. d.				£. s. d.
EASTERN.	Bath	799 19 5	750	514	236	1,404 14 9
	Bedminster	109 13 0	85	50	35	224 3 6
	Chewton	22 5 11	43	20	23	147 1 0
	Frome	58 14 3	100	58	42	342 3 6
	Keynsham	57 13 0	59	35	24	190 14 8
	Kilmersdon	7 0 0	10	2	8	13 18 4
	Shepton Mallet	28 13 7	84	38	46	281 13 10
	Wells	40 18 0	68	32	36	180 17 10
	Wincanton	35 14 3	58	26	32	151 13 6
	Wrington	105 17 9	87	40	47	359 18 3
		1,266 9 2	1,344	815	529	3,296 19 2
WESTERN.	Bridgewater	72 13 3	112	43	69	280 15 10
	Bishop's Lydeard	0 11 9	1	..	1	19 5 2
	Carhampton	7 7 0	5	4	1	8 5 0
	Ilminster	41 0 0	60	28	32	243 2 2
	Milverton	20 12 0	29	13	16	119 9 0
	Somerton	19 11 0	35	10	25	96 16 3
	Taunton	39 19 0	125	31	94	412 1 2
	Wellington	9 3 6	18	9	9	53 5 6
	Williton	26 9 10	25	15	10	63 12 0
	Yeovil	68 10 7	90	61	29	112 14 6
		305 17 11	500	214	286	1,409 6 7
	Eastern	1,266 9 2	1,344	815	529	3,296 9 2
	Total	1,572 7 1	1,844	1,029	815	4,705 15 9

[Papers referred to in General Bathurst's Evidence.

No. 4.—(1.) *Summary of the Numbers of Prisoners committed from the Bath Sub-division, whether for Time or Trial, the Cost of Conveyance to Prison, and the Charges for Prosecution, in* 1831, 1832, *and* 1833, *as taken from the Treasurer's Accounts.*

	Total Number of Prisoners.	For Time.	For Trial.	Cost of Conveyance.	Charges of Prosecution.
				£. s. d.	£. s. d.
1831.....	750	514	236	799 19 5½	1,404 14 9
1832.....	592	357	235	594 11 3	1,917 6 10
1833.....	549	356	193	505 7 6	1,181 7 5
	1,891	1,227	664	£1,899 18 2½	£4,503 9 0

(2.) *Number of Prisoners committed to the Gaol and Houses of Correction in the Years* 1831, 1832, *and* 1833, *as taken from the Keepers' Returns.*

	1831.	1832.	1833.
Ilchester.....	371	329	145
Shepton.....	971	1,110	1,085
Wilton.....	398	445	459
	1,740	1,884	1,689

(3.) *Number of Prisoners committed from the Sub-division of Bath in the above Years, as by the like Returns.*

	1831.	1832.	1833.
Ilchester.....	149	108	3
Shepton.....	470	549	524
Wilton.....	—	—	1
	619	657	528

Report of the Committee appointed to investigate the preceding Report.

The committee appointed at the quarter sessions held at Wells 21st April, 1834, to investigate the recommendations and observations of the report of a former committee, relative to the offices of clerk of assize and judges' officers, clerk of the peace and constables, and also to revise the table of fees of the clerk of the peace, and of the clerks of justices, beg leave to call the attention of the court, in the first place, to the origin of the high charges of the clerk of assize.

This office was accustomed to be sold by the judges, and in the Western circuit it was last sold by Judge Willes for £5,000, and of course the judges could not object to high fees on the suitors and prisoners, to remunerate the officer for the duty he had to perform, and to replace the sum paid to the judge; and nothing but the sale of this situation could have introduced a fee of £1. 6*s.* 8*d.* on every prisoner *acquitted* of the most trifling offence, perhaps charged only with stealing to the value of sixpence, and also high fees for prosecutors and witnesses being discharged after performing their duties.

The judges have ceased to sell the situation, but they have not altered the high fees, and the very great increase of criminal business has rendered the produce of them much larger than when the office was sold, and particularly since the fees (being found so unjust towards prisoners, who could seldom pay them) were fixed, without further inquiry, on the rate-payers of the county, not merely as a temporary compensation to the individual who might have paid for his office, but as a permanent and increasing burthen, and nothing short of legislative interference can now relieve them from this charge.

With regard to the clerk of the peace we beg to remark that this officer by law could never purchase his situation, and yet individuals holding that office at different times took upon themselves to claim fees similar to those of the clerk of assize.

Many of these high fees were legalized in 1827 without the effects of them being sufficiently known, and they are found very burthensome to many of the poorer suitors and defendants, and we are decidedly of opinion that some further revision is necessary. But we wish for more time before offering a new list for consideration, and particularly as we hope the Government may regulate them.

With regard to the clerks of justices, we find that in some divisions the table of fees now in force is little attended to; in others a construction has been put upon it totally different from what we conceive to have been the intention of the court when they were drawn up. In many instances the fees are much higher than in neighbouring counties, and even higher, in some instances, than Acts of Parliament justify, while in other cases no fees are fixed, which leaves the parties at the discretion of the clerk. We therefore beg to submit for the consideration of the court a new table of fees, in which we have endeavoured to attend to Acts of Parliament, and to the practice of neighbouring counties.

Letter from R. Welsh, *Esq., Somerton.*

Somerton, 21st July, 1825.

Dear Sir,—I not only never received any fees for discharging recognizances to prosecute or give evidence in felony, but never till lately heard it even suggested that any fees were payable for discharging such recognizances.

I am, dear Sir,
Your most obedient humble servant,
R. Welsh.

PAPERS REFERRED TO IN MR. HUME'S EXAMINATION.

Papers referred to in Mr. Hume's Examination.

First Report of the Committee of Vestry of the Parish of St. George, Hanover Square, on the Expenditure of the County of Middlesex.

The attention of your committee has been applied to the subject contained in the following minute of vestry of the 7th of August, 1834, viz.—"This vestry are of opinion that they would not perform their duty to the rate-payers of this parish were they not to institute an immediate inquiry into the receipt and expenditure of the rates of the county of Middlesex, because, in every department of the expenditure of the rates of this parish over which the vestry have a control, reductions to a very great extent are continually being effected; but the county rate, over which this vestry have no control, is the only portion of the expenditure of this parish which is on the increase. The two last county rates made by the magistrates in the parochial year 1833 affected this parish to the extent of £2,164. 17*s.*; but the two county rates made on the 24th of April and the 10th of July, 1834, amount to £4,324. 2*s.*, although the accounts of the treasurer of the county, sent with the orders for the payment of the rates, exhibit the expenditure of the county from the 28th of June, 1833, to the 28th of December, 1833, to have been £36,553. 11*s.* 5½*d.*; but the expenditure from the 28th of December, 1833, to the 28th of June, 1834, was only £28,623. 4*s.* 9*d.*

"This vestry therefore resolve that a committee of vestry, consisting of Messrs. Leslie, Gunter, and Hodgkinson, be now appointed to investigate the receipts and expenditure of the county of Middlesex, with power to add to their numbers, and to report from time to time to this vestry."

Your committee, having to a considerable extent investigated the receipt and expenditure of the county of Middlesex, present the following as their First Report:—

As the subject referred to them for examination is of a most extensive character, branching out into a variety of large expenditures of the public money, it consequently requires a somewhat lengthened detail even to afford a mere outline of so important a subject.

The object of your committee will be to give as clear and condensed a view of the whole subject as the information already obtained will enable them; and in the progress of their report they will direct the attention of the vestry to those points which they deem defective or erroneous.

The county rate is made by the justices of the peace in quarter sessions assembled, under the powers given to them by a Local Act for Middlesex, the 3 Geo. IV. cap. 107, royal assent July 22d, 1822.

By the sixth section of which Act the treasurer is required, on the first day of every general quarter sessions of the peace, to exhibit to the justices of the peace then and there assembled true and exact accounts of all monies received and expended up to the day preceding; whereupon the justices are to appoint a committee of themselves, or any three of them at the least, to examine the accounts and vouchers, and to report in writing the result of the examination at the same general quarter sessions, or some adjournment thereof: and the said justices, or the greater part of them then and there assembled, are then to audit and allow the said account; having done which, they are to proceed to make a general quarterly rate or assessment on the county.

Your committee are of opinion that, on so important a subject as the making of a rate on the county, sufficient care is not taken by the justices to prevent an unnecessary or an extravagant rate being made. To illustrate their opinion your committee take a whole year's receipt and expenditure of the county, from the 14th day of October, 1833, to the 13th day of October, 1834, during which period four rates were made upon the county.

	£.	*s.*	*d.*
First, on the 24th Oct. 1833, one halfpenny rate . . .	11,071	3	6
Second, ,, 9th Jan. 1834, one halfpenny rate . .	11,071	3	6
Third, ,, 24th April, 1834, one penny rate . . .	21,997	17	4
Fourth, ,, 10th July, 1834, one penny rate . . .	21,997	17	4

Your committee have ascertained that an estimate of the anticipated expenditure for each quarter is made out prior to the making of the rate; and they are of opinion that some great oversight or inattention does occur in the framing of these estimates, and which is certainly one of the most important duties connected with all public taxation, as upon the due performance of it depends the justice or injustice of the sum to be levied to meet the actual expenditure.

The four estimates for the year 14th October, 1833, to 13th October, 1834, amount to £97,364. 13*s.* 7½*d.*, while the actual expenditure for the year was only £66,246. 4*s.* 8¼*d.*; the estimated expenditure exceeding the actual expenditure 47 per cent.

It follows then, of necessity, that the erroneous data which the estimated expenditure affords will occasion a corresponding unnecessary taxation; and, to show the improper manner in which this duty to the county is performed, your committee add a statement of the finances of the county at each of the four quarters already cited—to which they will add such explanatory observations as may be necessary to elucidate the subject.

The printed accounts required by the Act of Parliament for each of the quarterly periods show the following amounts of expenditure, of cash balances in hand, and of uncollected rates.

First Account, from 14th October, 1833, to 28th December, 1833.

The whole expenditure of the county for this period was £19,140. 3*s.* 7½*d.* The actual financial state *on the first day* of this quarterly account was as follows:—

	£.	*s.*	*d.*
Cash in the treasurer's hands	8,099	12	3½
Uncollected rates made at and previous to the June sessions .	12,913	1	7
	£21,012	13	10½

Your committee request the vestry very particularly to observe that there was on the first day of the quarter, by cash in hand, and rates made at and previous to the June sessions, a sum more than sufficient to pay the whole expenditure of the county to the 28th of December, 1833, leaving a balance in favour of the county of £1,872. 10*s.* 3*d.*, without any additional burthen being imposed upon the county.

Under these circumstances it appears to your committee that it was clearly the duty of the magistrates to have enforced the payment of the £12,913 1*s.* 7*d.* as an act of justice to the parishes who pay

Papers referred to in Mr. Hume's Examination.

the county rates;—they did not do so, but, on the contrary, imposed an additional rate on the county (ten days after the above balance of £21,012. 13*s.* 10½*d.* was declared) on the 24th October, 1833, in a sum amounting to £11,071. 3*s.* 6*d.*, and which rate your committee are of opinion, for the reasons they have adduced, was an unnecessary rate.

Second Account, from 28th December, 1833, to 5th April, 1834.

The whole expenditure of the county for this quarter was £13,501. 9*s.* 0¾*d.*; and the finances of the county on the 28th of December, 1833, were as follow:—

	£.	*s.*	*d.*
Cash in the treasurer's hands	1,441	7	6
Uncollected rates	11,686	12	9
	£13,128	0	3

So that the county had been assessed, at and previously to the October sessions, 1833, in a sum which, on the 28th December, 1833, was sufficient to meet the actual expenditure of the county to the 5th April, 1834, with the slight deficiency of £372. 18*s.* 9¾*d.*; notwithstanding which the justices, on the 9th January, 1834, assessed the county in a sum of £11,071. 3*s.* 6*d.*, and the condemnation of such negligence and injustice is to be found in the fact that the balance in favour of the county, on the 5th April, appears by their own voucherst o exceed by £546. 14*s.* 1*d.* the whole amount of the rate made on the 9th January, 1834.

Third Account, from 5th April, 1834, to 28th June, 1834.

The whole expenditure of the county in this quarter was £15,121. 14*s.* 8½*d.*, to meet which, on the 5th April, the treasurer had

	£.	*s.*	*d.*
Cash in hand	4,127	13	6¾
Uncollected rates	7,490	4	1
	£11,617	17	7¾

In this account a rate appears to have been necessary, because the income would not have been sufficient to meet the actual expenditure by the sum of £3,503. 17*s.* 0¾*d.*; but your committee think the vestry will coincide with them in opinion that the rate made by the justices on the 24th April for £21,997. 17*s.* 4*d.* was extravagantly high.

Fourth Account, from 28th June, 1834, to 13th October, 1834.

The whole expenditure of the county in this account was £18,482. 17*s.* 3½*d.*, to meet which the treasurer had on the first day of the quarter, viz., on 28th June,—

	£.	*s.*	*d.*
Cash in hand	7,497	17	8¾
Uncollected rates	11,075	19	3
	£18,573	16	11¾

Your committee again request the vestry particularly to observe that the treasurer had *on the first day of the account* on the 28th June, by cash in hand, and rates made at and previous to the April sessions, a sum *more* than sufficient to meet the whole expenditure of the county to the 13th October; and, although this was the financial state on the 28th June, the magistrates on the 10th July made another rate, amounting to the sum of £21,997. 17*s.* 4*d.*, and which is again proved by their own vouchers to have been unnecessary, because the balance in favour of the county at the close of the account on the 13th October, 1834, exceeds by £369. 1*s.* 3½*d.* the whole amount of the rate they made on the 10th July: the printed account shows the balance to be as under, 13th October, 1834:—

	£.	*s.*	*d.*
Cash in the treasurer's hands	10,268	16	3½
Uncollected rates	12,098	2	4
	£22,366	18	7½

Your committee request the vestry to observe that, notwithstanding the careful audits of the quarterly accounts which the Act of Parliament directs, the balance in favour of the county given in the printed account just quoted is not the correct balance, there being an error against the county either in the cash in hand, or in the amount of the rates uncollected on the 13th October, 1834, as the following account, which your committee have prepared, will exhibit.

The Treasurer of the County of Middlesex in Account.

Dr.

1833.		£.	*s.*	*d.*
Oct. 14.	Cash in hand	8,099	12	3½
	Uncollected rates	12,913	1	7
24.	Halfpenny rate	11,071	3	6
	Petty receipts to 28th Dec.	184	16	6
1834.				
Jan. 9.	Halfpenny rate	11,071	3	6
	Petty receipts to 5th April	920	12	11½
April 24.	One penny rate	21,997	17	4
	Petty receipts to 28th June	78	7	8½
July 10.	One penny rate	21,997	17	4
	Petty receipts to 13th October	304	19	11
		£88,639	12	7½

Cr.

Expenditure.

1833.	£.	*s.*	*d.*
Oct. 14th to Dec. 28th	19,140	3	7½
Dec. 28th to April 5th, 1834	13,501	9	0¾
1834.			
April 5th to June 28th	15,121	14	8½
June 28th to October 13th	18,482	17	3½
	£66,246	4	8¼
Balance in favour of county, October 13th	22,393	7	11¼
	£88,639	12	7½

Papers referred to in Mr. Hume's Examination.

Your committee, at this stage of their report, have confined their attention to the improper manner by which the county is so unnecessarily taxed. It is not their intention to overlook the items which form the above expenditure for the year ending 13th October, 1834, £66,246. 4*s.* 8½*d.*, among which the debt is very conspicuous; a glance at it must for the present suffice. In the year's expenditure the following sums have been paid for:—

	£.	*s.*	*d.*
The pauper lunatic asylum at Hanwell, debt paid off	8,888	14	4
The pauper lunatic asylum, interest paid	4,012	14	0
Westminster gaol, debt paid off	3,200	0	0
Westminster gaol, interest paid	6,901	13	10
The Middlesex tontine	3,102	2	0
Mr. and Mrs. Davy's annuity	30	0	0
	£26,135	4	2

Your committee are of opinion, and in which they think the vestry will coincide with them, that £26,135. 4*s.* 2*d.*, as one year's quota of the debt and interest, is an enormous sum. The Middlesex tontine, your committee beg to inform the vestry, has only lasted about 40 years. There is some consolation in knowing that the debt for the Westminster new gaol can only last about 40 years more, at £3,200 per annum principal, with the annually decreasing interest on the original sum borrowed of £168,000, and an additional sum of £15,000 is now advertised for; while the pauper lunatic asylum debt and interest are destined to a much shorter existence—14 years only will be their duration; so that £8,888. 14*s.* 4*d.* annually of principal, with the decreasing interest on the principal sum borrowed, will then be terminated.

As the expenditure of the sums of money borrowed for the above purposes will be separately reported on, your committee close this section of their report by giving their opinion that the evidence they have produced proves the urgent necessity of earnest consideration on the part of the magistrates of the county of Middlesex, with a view to the removal of the evils referred to in this report, arising from erroneous estimates (as it appears to your committee) of the expenditure of the county, from the manner of making the county rates, and the collection of the rates when made.

Parish of St. George, Hanover Square.

At a meeting of the vestry duly assembled 2nd March, 1835, an authenticated copy of the reply of the Middlesex magistrates, adopted by them at the general session of the peace held on the 11th February last, to the statement printed and circulated by this vestry relative to the county rates, having been read; and the following, the third report of the committee of vestry, appointed to investigate the receipt and expenditure of the county rate of Middlesex, having also been read; it was moved by the Earl of Euston, and seconded by the Right Hon. Sir William Henry Fremantle, and unanimously agreed to, "That the third report, presented by the committee of vestry in answer to the magistrates' report of the 11th February, be now printed, and a copy sent to each member of the vestry; and also that copies of the same be transmitted to the bench of magistrates on the next county court day."

T. B. Chappell, Vestry Clerk.

THIRD REPORT.

The committee of vestry of the parish of St. George, Hanover Square, consider it due to themselves to offer a few observations as to the first section of their report on the expenditure of the county rates of Middlesex, in consequence of the reply the magistrates have thought proper to make to the charges brought against them.

The committee of vestry submit that their report entered into no hypothetical statements of the finances of the county. They examined a whole year's expenditure, founding their remarks upon the actual financial condition of the county, as exhibited by the magistrates in the quarterly published accounts which the Act of Parliament requires.

As it was impossible for the magistrates to deny the fact of the estimated expenditure so enormously exceeding the actual expenditure, the magistrates of Middlesex have thought it advisable, in reply to the charge, to say:

"The following statement will show that, however large the estimates may be, they do not cause any unnecessary taxation.

	£.	*s.*	*d.*
"The whole of the expenditure from Oct. 1833 to Oct. 1834 amounts to	66,246	4	8
"Total amount of county rate for the same time	66,111	12	4
"The expenditure exceeding the rate, which is made up by petty receipts	134	12	4"

The committee of vestry now state that the magistrates have omitted the balance in favour of the county existing on the 14th Oct., 1833, £21,012. 13*s.* 10½*d.*; and also the amount of the petty receipts for the same year, £1,488. 17*s.*; making the revenue of the county (as exhibited at page 7 of the St. George's report) £88,639. 12*s.* 7½*d.*, and not £66,246. 4*s.* 8*d.*

The Middlesex magistrates proceed with their answer in these words:—

"The second complaint is as easily answered, namely, that of making a rate when the amount of the balance in the treasurer's hands, and the uncollected rates, amounted to a larger sum than the expense of the quarter, and, therefore, no additional rate ought to have been made; but that it was the duty of the magistrates to have enforced the payment of the arrears."

This is the real question at issue, and affords the opportunity of proving, either that the committee of the vestry of the parish of St. George, or the Middlesex magistrates, totally misunderstand the Act of Parliament relating to the county rates of Middlesex, which the committee therefore quote, to enable the vestry to judge whether their committee or the magistrates be in error.

"3 Geo. IV. c. 107, Local Act for Middlesex." The preamble states—"Whereas abuses and irregularities have occurred in the office of treasurer of the county of Middlesex; and it is expedient to make further provision relative to the appointment of such treasurer, and the security to be taken from him and his sureties for the due execution of his office, and for preventing the accumulation

Papers referred to in Mr. Hume's Examination.

of large balances in the hands of such treasurer in future, and to make such further provision and regulations touching the assessing, collecting, and levying of the county rates."

The 6th section requires that after the audit of the treasurer's account the justices are to make a general quarterly rate on the county, and directs the treasurer within seven days from the time of making such rate to transmit a copy of the order for such rate* to every parish in the county.

This the committee of vestry understand to be imperative on the county treasurer to forward a copy of the order for the making such rate within seven days from the making of the rate, and they believe the treasurer so understands the Act, although the magistrates appear not to do so, for in their defence made at the general session, held the 11th of February, they state,—"the 17th of January, 1834, was the earliest day upon which the precepts for another rate could be sent out."

The rate alluded to was made by themselves on the 9th of January, 1834; consequently they read the Act with the interpolation of the word "not"—that the Treasurer of Middlesex shall NOT within seven days issue such precepts, and, therefore, they state the precepts were issued on the 17th of January, being the 8th day after the rate was made.

The 9th section authorizes the magistrates "to make a county rate, at each and every quarter session, for the quarter of the year then next ensuing, to be computed from the county day in every such quarter session, until the county day in the quarter session then next ensuing."

This the committee of vestry understand to mean a power given to the magistrates to assess the county in a sum sufficient to meet the expenditure for a positively defined period—from the county day in one quarter session, to the county day in the succeeding quarter session.

But the Middlesex magistrates think differently, and admit (there can be no denial of the fact) that on the 28th of June, 1834, there were available funds, arising from the county rates, more than sufficient to meet the whole expenditure of the quarter; notwithstanding which they read this Act of Parliament as giving them power to assess £5,279,488 of rental on the 10th of July, 1834, in a 1*d.* rate, amounting to £21,997. 17*s.* 4*d.*, no fraction of which, as is proved by their own account, was necessary for the expenditure of the county from the 28th of June to the 13th of October, 1834.

The magistrates in their defence of this (as it appears to the committee of vestry illegal), extravagant, and unnecessary rate of the 10th of July, enter into a hypothetical statement of what would have been the consequences on the 30th of November if they had not taxed the county on the 10th of July £21,997. 17*s.* 4*d.*

The committee of vestry of St. George grapple with facts, and not hypotheses; but, even in the magistrates' hypothetical situation of the county, there are two most important omissions on their part that must be noticed.

They say that *if* they had not made the £21,997. 17*s.* 4*d.* rate on the 10th of July, 1834, the balance in the treasurer's hands would at the close of the quarter, 13th of October, 1834, have only been £90 19*s.* 8¼*d.*

The committee of vestry positively assert that the cash balance would have been on the 13th of October, 1834, from the magistrates' published accounts, without any portion of the rate of the 10th of July, £395. 19*s.* 7¼*d.*, instead of £90. 19*s.* 8¼*d.* The magistrates in their reply further say—"Upon the 23rd of October (1834) a rate was made of a halfpenny in the pound, but up to the 30th of November the sum received by the county treasurer on this rate amounted only to £494. 14*s.*"

Here again the magistrates have omitted the cause of this small collection of this rate, viz.—

"An order made by themselves in quarter session assembled on the 23rd of October, 1834, and sent to every parish in the county of Middlesex, not to pay the rate, because three-fourths of the money received on the former rate had not been expended."

The committee of vestry make one more extract from the magistrates' reply; the magistrates say—

"They cannot help expressing their regret that the persons who drew up the report, and presented it to the vestry, should not, in the frequent interviews they had with the county treasurer, have pointed out to him those alleged irregularities, and have asked him for an explanation, which he would most readily have afforded them, when the printing of the report would have been unnecessary; and those remarks, so discreditable in themselves, and which, if allowed to remain unrefuted, might have attached to the magistrates, would have been spared."

The committee of vestry who drew up the report, and presented it to the vestry, never had one interview either individually or collectively with the county treasurer;—if they had, it would have been the last thing which they would have thought of to ask the county treasurer to explain to them the conduct of the Middlesex magistrates. The course the committee adopted was to examine the published accounts of the county; to apply for copies of the four quarterly estimates of the expenditure; and to read the Act of Parliament.

The care the committee of St. George's vestry bestowed on the investigation has obtained for them the reward of an acknowledgment that the committee of magistrates "have carefully examined this report, and compared it with the treasurer's printed accounts," and no error on the part of the committee of St. George's vestry could be detected. The *gravamen* of the complaint in the magistrates' reply, it will be seen, is "the printing of the report;" and, while the committee of vestry fully admit that some of the observations they felt it their duty to make do attach discredit somewhere, they leave the vestry, after hearing both statements, to determine to whom the discredit applies.

The committee of vestry of St. George, Hanover Square, still entertain the opinion that the provisions of the Local Act of Parliament are not attended to by the magistrates in taxing the county; and that, if they were, much of that which now appears to them a well-founded complaint against the magistrates would, to a certain extent, be removed.

The committee of vestry wish to meet by anticipation an objection which may by possibility be urged, that, even supposing the committee of vestry should be right in their interpretation of the Local Act, it would be impossible to carry on the financial business of the county. They will, therefore, very briefly, but they hope in a satisfactory manner, dispose of this objection. The following analysis will show the main source of the county revenue, and the absurdity of any pretext about arrears.

The whole property at present assessed to the county rate of Middlesex is £5,270,288; the cur-

* The copy of the order is printed, and signed by C. P. Allen, Deputy Clerk of the Peace; and is accompanied by a demand for payment of the rate, also printed on the same sheet, and signed "Robert Baker."

Papers referred to in Mr. Hume's Examination.

rent rate made on the 23rd of January, 1835, at one halfpenny in the pound, will produce £10,979. 12*s.* 10*d.* The number of parishes which contribute this sum is 99, and 8 extra-parochial places, making together 107 places. The halfpenny rate affects those places in the following ratio:—

9	Contribute under	. . . . .	5*l.* each parish.
22	„	above 5*l.* and under	10*l.* „
17	„	above 10*l.* and under	20*l.* „
23	„	above 20*l.* and under	50*l.* „
13	„	above 50*l.* and under	100*l.* „
5	„	above 100*l.* and under	200*l.* „
9	„	above 200*l.* and under	300*l.* „
3	„	above 300*l.* and under	400*l.* „
2	„	above 400*l.* and under	500*l.* „
1	„	above 500*l.* and under	600*l.* „
1	„	above 900*l.* and under	1000*l.* „
2	„	above (St. George, Hanover Square, and Marylebone)	1000*l.* „
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Eight of the metropolitan parishes contribute more than one-half of the whole rate.

The Act directs the quarterly accounts to be presented the first day of each quarter session. If the finance committee of magistrates do their duty, the audit may be progressing through the quarter, and may be completed on that day; the rate for the ensuing quarter from the county day (which is always the tenth day in each quarter session) may be made, and the orders for payment may be issued the same day. The committee of vestry also think that the greatest benefit would accrue if, on the order and the demand for the payment of each rate, a copy of the estimated expenditure for the quarter was printed and sent to each parish; and the magistrates, if they were so inclined, might intimate that it was their intention to act in compliance with the spirit and the letter of the Act of Parliament, and, to prevent the accumulation of large balances, were determined to make the rate as low as they possibly could; and were further determined rigidly to enforce the collection of the rates, and to prevent arrears. The finance committee would then have to arrange their payments for the quarter to be as light as possible in the first month of each quarter, and which would be a matter of the most easy accomplishment; the parishes then would feel desirous of assisting the magistrates in the payment of those demands which, under such a system, would soon appear obviously necessary.

John Leslie, *Chairman*,
John Gunter,
Thomas Hodgkinson,
The committee of vestry of the parish of St. George, Hanover Square, appointed to investigate the receipt and expenditure of the county rate of Middlesex.

Senat de Belgique—26 Juin, 1834.

Projet d'Organisation Provinciale, tel qu'il a été adopté par la Chambre des Représentans et envoyé au Sénat.

TITRE PREMIER.—Des Autorites Provinciales.

Art. 1. Il y a dans chaque province un conseil provincial et un commissaire du gouvernement.

Art. 2. Le conseil provincial est élu directement par les colléges électoraux: la circonscription des cantons électoraux, les chefs-lieux et le nombre des conseillers à élire, sont déterminés dans le tableau annexé à la présente loi.

Art. 3. Le conseil élit dans son sein une députation permanente.

Art. 4. Les commissaires du gouvernement près les conseils provinciaux portent le titre de gouverneur de la province; ils sont nommés et révoqués par le Roi; les greffiers sont nommés par le Roi pour le terme de six ans, sur une liste triple de candidats, formée par les députations des conseils provinciaux; ils peuvent être révoqués par le Roi sur la demande desdites députations.

TITRE II.—Des Electeurs et des Listes Electorales.

Art. 5. Sont électeurs ceux qui réunissent les conditions prescrites par la loi électorale pour la formation des Chambres. Les listes électorales, formées en exécution de cette loi, serviront pour l'élection des conseils provinciaux. Néanmoins les individus qui auront obtenu la naturalisation ordinaire pourront réclamer le droit d'électeur et se faire porter sur une liste supplémentaire, pourvu qu'ils réunissent les autres qualités requises pour être électeur, et qu'ils fassent leur réclamation dans le délai fixé par la loi. Les mères veuves pourront déléguer leurs contributions à celui de leurs fils qu'elles désigneront; et le fils désigné par sa mère sera porté sur la liste supplémentaire s'il réunit d'ailleurs les autres conditions exigées par la loi. La déclaration de la mère sera faite à l'autorité communale; elle pourra toujours être révoquée.

Art. 6. Dans les cantons où le nombre d'électeurs inscrits sur les listes électorales de l'année précédente serait inférieur à 70, la députation du conseil provincial ordonnera la formation des listes supplémentaires. Seront portés sur les listes supplémentaires les individus réunissant les qualités requises pour être électeurs, et payant au trésor de l'état au moins les 4-5 du cens électoral, si le nombre d'électeurs s'élève à 40; et ceux payant les 3-5, si le nombre d'électeurs est inférieur à 40. Les listes supplémentaires seront formées en même temps et d'après les mêmes règles que les listes principales.

Art. 7. Après l'expiration des délais fixés pour la révision annuelle, les listes électorales sont arrêtées et signées par l'administration locale, et déposées au secrétariat de la commune; un double, dûment certifié, en est, dans le plus bref délai, envoyé à la députation du conseil provincial.

Art. 8. La députation du conseil provincial fait la répartition des électeurs en sections, s'il y a lieu.

Art. 9. Le gouverneur transmet une copie dûment certifiée de la liste électorale, pour chaque

Papers referred to in Mr. Hume's Examination.

collége ou section, au président du collége électoral ; il veille à ce que les chefs des administrations locales envoient sous récépissés, au moins huit jours d'avance, des lettres de convocation aux électeurs, avec indication du jour, de l'heure et du local où l'élection aura lieu, du nombre de conseillers à élire, et des noms des conseillers à remplacer. Les chefs des administrations locales transmettront les récépissés à l'autorité administrative supérieure au moins trois jours avant l'élection.

TITRE III.—Les Colleges Electoraux.

Art. 10. Les colléges électoraux ne peuvent s'occuper d'autres objets que de l'élection des conseillers.

Art. 11. La réunion ordinaire des colléges électoraux, pour procéder à l'élection des conseillers provinciaux, a lieu le 4e Lundi du mois de Mai.

Art. 12. Les électeurs se réunissent au chef-lieu du canton électoral dans lequel ils ont leur domicile réel : ils ne peuvent se faire remplacer. Ils se réunissent en une seule assemblée, si leur nombre n'excède pas quatre cents. Lorsqu'il y a plus de quatre cents électeurs, le collége est divisé en sections, dont chacune est formée par communes ou fractions de communes les plus voisines entre elles. Chaque section concourt directement à la nomination des conseillers que le collége doit élire.

Art. 13. Dans les chefs-lieux où siége le tribunal de première instance, le président de ce tribunal, ou à son défaut, celui qui le remplace dans ses fonctions, préside le bureau principal ; les quatre conseillers de régence du chef-lieu les moins âgés sont scrutateurs. Le bureau ainsi formé choisit son secrétaire. S'il y a plusieurs sections, la seconde et les suivantes sont présidées par l'un des juges ou juges suppléans, suivant le rang d'ancienneté. Le bureau principal désignera les quatre scrutateurs de chaque bureau de section, et ceux-ci nommeront leur secrétaire.

Art. 14. Dans les chefs-lieux où il n'y a pas de tribunal de première instance, le juge-de-paix, ou, s'il y a plusieurs juges-de-paix au même chef-lieu, le plus ancien d'entre eux, et, en cas d'empêchement, le plus ancien suppléant, est de droit président. Les quatre membres du conseil communal les moins âgés sont scrutateurs. Le bureau ainsi formé choisit son secrétaire. S'il y a plusieurs sections, le bureau principal désignera les membres des autres bureaux ; ceux-ci nommeront leur secrétaire.

Art. 15. Le président du collége ou de la section a seul la police de l'assemblée ; les électeurs du collége y sont seuls admis sur l'exhibition de leurs lettres de convocation ou d'un billet d'entrée, délivré par le président du collége ou de la section ; en cas de réclamation, le bureau en décide : ils ne peuvent s'y présenter en armes. Nulle force armée ne peut être placée, sans la réquisition du président, dans la salle des séances, ni aux abords du lieu où se tient l'assemblée. Les autorités civiles et les commandans militaires sont tenus d'obéir à ses réquisitions.

Art. 16. La liste officielle des électeurs du collége ou de la section, transmise par le gouverneur, sera affichée dans la salle de réunion. Le paragraphe premier de l'art. 15, les articles 16, 18, 19, 20, 22, 23, 26, 29 et 33 de la présente loi, et les articles 111, 112 et 113 du Code pénal seront affichés à la porte de chaque salle en gros caractère. A l'ouverture de la séance, le secrétaire ou l'un des scrutateurs donnera lecture à haute voix des articles 111, 112 et 113 du Code pénal, et des art. 19 à 33 inclusivement de la présente loi, dont un exemplaire sera déposé sur chaque bureau. Le bureau prononce provisoirement sur les opérations du collége ou de la section ; le secrétaire n'a pas voix délibérative. Toutes les réclamations sont insérées au procès-verbal, ainsi que la décision motivée du bureau, les pièces ou bulletins relatifs aux réclamations sont paraphés par les membres du bureau et par le réclamant, et sont annexés au procès-verbal.

Art. 17. Le président informe l'assemblée du nombre de conseillers à élire, et des noms des conseillers à remplacer.

Art. 18. Nul ne pourra être admis à voter, s'il n'est inscrit sur la liste officielle, affichée dans la salle. Toutefois, le bureau sera tenu d'admettre ceux qui se présenteront munis d'une décision rendue sur appel par la députation du conseil provincial.

Art. 19. L'appel nominal est fait par ordre alphabétique des communes. Chaque électeur, après avoir été appelé, remet son bulletin écrit et fermé au président, qui le dépose dans une boîte à deux serrures, dont les clefs sont remises, l'une au président et l'autre au plus âgé des scrutateurs. Le président refusera de recevoir les bulletins qui ne sont pas écrits sur papier blanc et non colorié ; en cas de contestation le bureau en décidera.

Art. 20. La table placée devant le président et les scrutateurs sera disposée de telle sorte que les électeurs puissent circuler à l'entour, ou du moins y avoir accès, pendant le dépouillement du scrutin.

Art. 21. Le nom de chaque votant sera inscrit sur deux listes, l'une tenue par l'un des scrutateurs et l'autre par le secrétaire ; ces listes seront signées par le président du bureau, le scrutateur et le secrétaire.

Art. 22. Il sera fait un réappel des électeurs qui n'étaient pas présens. Le réappel étant terminé, le président demandera à l'assemblée s'il y a des électeurs présens qui n'ont pas voté ; ceux qui se présenteront immédiatement seront admis à voter. Ces opérations achevées, le scrutin sera déclaré fermé.

Art. 23. Le nombre des bulletins sera vérifié avant le dépouillement. S'il est plus grand ou moindre que celui des votans, il en sera fait mention au procès-verbal. Après le dépouillement général, si la différence rend la majorité douteuse au premier tour de scrutin, le bureau principal fait procéder à un scrutin de ballotage. Si ce doute existe lors d'un scrutin de ballotage, le conseil provincial décide.

Art. 24. Lors du dépouillement, un des scrutateurs prendra successivement chaque bulletin, le dépliera, le remettra au président, qui en fera lecture à haute voix et le passera à un autre scrutateur. Le résultat de chaque scrutin est immédiatement rendu public.

Art. 25. Dans les colléges divisés en plusieurs sections, le dépouillement du scrutin se fait dans chaque section. Le résultat en est arrêté, proclamé et signé par le bureau. Il est immédiatement porté, par les membres du bureau de chaque section, au bureau principal, qui fait, en présence de l'assemblée, le recensement général des votes.

Art. 26. Sont nuls les bulletins qui ne contiennent aucun suffrage valable, ceux dans lesquels le votant se fait connaître, ainsi que ceux qui ne sont pas écrits à la main.

Art. 27. Les bulletins nuls n'entrent point en compte pour déterminer la majorité absolue ou relative.

Art. 28. Sont valides les bulletins qui contiennent plus ou moins de noms qu'il n'est prescrit. Les derniers noms formant l'excédant ne comptent pas.

Papers referred to in Mr. Hume's Examination.

Art. 29. Sont nuls tous les suffrages qui ne portent pas une désignation suffisante : le bureau en décide comme dans tous les autres cas, sauf recours au conseil provincial.

Art. 30. Nul n'est élu au premier tour de scrutin, s'il ne réunit plus de la moitié des voix.

Art. 31. Si tous les conseillers à élire dans le canton n'ont pas été nommés au premier tour de scrutin, le bureau fait une liste des personnes qui ont obtenu le plus de voix. Cette liste contient deux fois autant de noms qu'il y a encore de conseillers à élire. Les suffrages ne peuvent être donnés qu'à ces candidats. La nomination a lieu à la pluralité des votes. S'il y a parité de votes, le plus âgé est préféré.

Art. 32. Le procès-verbal de l'élection rédigé et signé, séance tenante, par les membres du bureau principal, les procès-verbaux des sections également rédigés et signés, séance tenante, ainsi que les listes des votans signées comme il est prescrit à l'article 21, et les listes des électeurs sont adressées dans le délai de huitaine à la députation permanente du conseil provincial. Un double du procès-verbal du bureau principal, certifié conforme par ses membres, sera déposé au secrétariat de la régence municipale du lieu de l'élection où chacun pourra en prendre inspection.

Art. 33. Après le dépouillement, les bulletins qui n'auront pas donné lieu à contestation seront brûlés en présence de l'assemblée.

Art. 34. Le gouverneur adressera, sans délai, des extraits du procès-verbal de l'élection à chacun des élus.

Art. 35. Toute réclamation contre l'élection doit être adressée au conseil provincial avant la vérification des pouvoirs.

Art. 36. Le conseiller élu par plusieurs cantons électoraux peut faire connaître son option à la députation permanente du conseil. Le conseiller qui n'aura point fait cette option, sera tenu de la déclarer au conseil provincial dans les deux jours qui suivront la vérification des pouvoirs ; à défaut d'option dans ce délai, il sera décidé, par la voie du sort, à quel canton le conseiller appartiendra.

Art. 37. Le gouverneur convoque, ensuite d'une décision du conseil ou de la députation, les colléges électoraux chargés de procéder aux remplacemens nécessités par options, démissions ou décès. Le conseil ou la députation fixent la convocation à l'époque ordinaire des élections, à moins qu'il ne soit nécessaire de devancer cette époque.

TITRE IV.—Des Eligibles.

Art. 38. Pour être éligible, il faut : 1. Etre Belge de naissance ou avoir obtenu la naturalisation ; 2. Jouir des droits civils et politiques ; 3. Etre âgé de 25 ans accomplis ; 4. Etre domicilié dans la province au moins depuis le premier Janvier qui précède l'élection.

Art. 39. Ne sont point éligibles les condamnés à des peines afflictives ou infamantes, ni ceux qui sont en état de faillite déclarée ou d'interdiction judiciaire.

TITRE V.—Des Incompatibilites.

Art. 40. Ne peuvent être membres du conseil provincial : 1. Les membres de la Chambre des Représentans ou du Sénat ; 2. Le gouverneur de la province ; 3. Le greffier provincial ; 4. Les directeurs du trésor, les receveurs ou les agens comptables de l'Etat ou de la province ; 5. Les employés au gouvernement provincial, ainsi que les employés aux commissariats d'arrondissemens et de milice.

Art. 41. Si des parens ou alliés, jusqu'au 2e degré inclusivement, sont élus conseillers par le même collége électoral et au même tour de scrutin, celui qui aura obtenu le plus de voix, et, en cas de parité, le plus âgé d'entre eux sera seul admis au conseil : s'ils sont élus à des tours de scrutin différens, le premier nommé sera préféré. L'alliance survenue ultérieurement entre les conseillers élus par le même collége n'emporte pas révocation de leur mandat. L'alliance est censée dissoute par le décès de la femme du chef de laquelle elle provient.

TITRE VI.—Du Conseil Provincial.

Chapitre Premier.—*Dispositions concernant la Réunion du Conseil et le Mode de ses Délibérations.*

Art. 42. Le conseil provincial s'assemble au chef-lieu de la province, à moins que pour cause d'événement extraordinaire il ne soit convoqué par le Roi dans une autre ville de la province.

Art. 43. Toutes les sessions du conseil sont ouvertes et closes au nom du Roi par le gouverneur.

Art. 44. Le conseil se réunit de plein droit chaque année le premier Mardi de Juillet, à dix heures du matin, en session ordinaire. Il se constitue sous la présidence du doyen d'âge, assisté des deux membres les moins âgés comme secrétaires. Indépendamment de cette session, le Roi peut convoquer le conseil en session extraordinaire. La session extraordinaire est annoncée dans un journal de la province ; les convocations sont faites par le gouverneur, par écrit et à domicile.

Art. 45. La durée de la session ordinaire est de 15 jours ; elle ne peut être diminuée que de commun accord entre le gouverneur et le conseil. La session peut être augmentée de huit jours par décision spéciale du conseil, mais elle ne peut être continuée au-delà de ce terme sans le consentement exprès du gouverneur. Dans ces cas, le conseil sera tenu de s'occuper exclusivement du budget de la province avant tout autre objet, si ce budget n'a déjà été voté. Dans aucun cas, la session ordinaire ne pourra durer au-delà de quatre semaines.

Art. 46. Lorsque le Roi convoquera un conseil en session extraordinaire, ou lorsque le gouverneur autorisera la prorogation de la session ordinaire du conseil, l'acte de convocation ou de prorogation mentionnera les objets et l'ordre des délibérations. La clôture pourra toujours être prononcée par le gouverneur.

Art. 47. L'assemblée vérifie les pouvoirs de ses membres et juge les contestations qui s'élèvent à ce sujet. Elle ne peut délibérer si plus de la moitié du nombre de ses membres fixé par la loi n'est présente.

Art. 48. Après la vérification des pouvoirs, les conseillers provinciaux prêtent le serment suivant : "Je jure d'observer la constitution et la loi d'organisation provinciale." Avant la prestation du serment, le président rappellera que le décret d'exclusion à perpétuité des membres de la famille d'Orange-Nassau de tout pouvoir en Belgique, fait partie de la constitution.

Art. 49. Le conseil, à l'ouverture de chaque session ordinaire, nomme un président et un vice-président, et forme son bureau pour toutes les sessions de l'année.

Art. 50. Le conseil détermine, par son réglement, le mode suivant lequel il exerce ses attributions, en se conformant à la présente loi. Ce réglement sera soumis à l'approbation du Roi.

Art. 51. Les séances du conseil sont publiques ; néanmoins l'assemblée se forme en comité secret, sur

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la demande du président ou de cinq membres, ou sur la demande du gouverneur; elle décide ensuite, si la séance peut être reprise en public sur le même sujet.

Art. 52. Le conseil vote à haute voix ou par assis et levé; néanmoins, il vote toujours à haute voix et par appel nominal sur l'ensemble de chaque résolution; les présentations de candidats, les nominations, les révocations ou destitutions se font seules au scrutin secret.

Art. 53. Le conseil a le droit de diviser et d'amender chaque proposition.

Art. 54. Toute résolution est prise à la majorité absolue des suffrages. En cas de partage des voix, la proposition est rejetée.

Art. 55. La séance est ouverte et close par le président; elle commence toujours par la lecture du procès-verbal de la dernière séance, qui est approuvé, s'il y a lieu, et transcrit conformément à l'article 119 de la présente loi.

Art. 56. Il est permis à chaque membre de faire insérer au procès-verbal, que son vote est contraire à la résolution adoptée, sans pouvoir exiger qu'il soit fait mention des motifs de son vote.

Art. 57. Excepté dans les cas d'urgence, reconnus par les deux tiers des membres présens, l'ordre du jour est indiqué par le président, au plus tard la veille de la discussion, après avoir consulté l'assemblée. Il est ensuite affiché dans la salle. Toute proposition qui n'est pas à l'ordre du jour, devra être remise par écrit au président, et être appuyée par deux autres membres. L'assemblée indiquera le jour où elle sera développée. La proposition ne pourra ensuite être discutée si elle n'est appuyée par *cinq* membres au moins.

Art. 58. Le président a seul la police de l'assemblée; il peut, après en avoir donné l'avertissement, faire expulser à l'instant de l'auditoire tout individu qui porte le trouble. Il peut même ordonner de l'arrêter à l'instant et de le conduire dans la maison d'arrêt. Il sera fait mention de cet ordre dans le procès-verbal, et, sur l'exhibition qui en sera faite au gardien de la maison d'arrêt, la personne arrêtée y sera reçue et retenue pendant 24 heures, sans préjudice aux poursuites à exercer devant les tribunaux, s'il y a lieu.

Art. 59. Les membres du conseil ne pourront prendre la parole sans l'avoir demandée et obtenue du président. Le président rappelle à la question l'orateur qui s'en écarte. Toute personnalité, toute injure, toute imputation de mauvaise intention est réputée violation de l'ordre. Si un orateur trouble l'ordre, il y est rappelé nominativement par le président, après avoir été entendu dans ses explications; il n'en est fait mention au procès-verbal que si le conseil l'ordonne expressément.

Art. 60. Les élections ou présentations de candidats se font conformément aux dispositions des art. 22, 23, 24, 27, 28, 30, 31 et 33 de la présente loi. Le président est assisté des quatre conseillers les moins âgés faisant les fonctions de scrutateurs.

Art. 61. Les conseillers provinciaux ne reçoivent aucun traitement; ceux qui sont domiciliés à un demi-myriamètre au moins du lieu de la réunion recevront une indemnité de frais de route et de séjour. Les frais de route seront calculés à raison d'un franc et demi par demi-myriamètre, sans fractions. L'indemnité sera de cinq francs par chaque jour de séjour pour toute la durée de la session; à cet effet, il sera tenu un registre de présence.

Art. 62. Les membres du conseil votent sans en référer à ceux qui les ont nommés; ils représentent la province, et non uniquement le canton qui les a nommés.

Art. 63. Aucun membre du conseil ne peut prendre part à une délibération à laquelle lui ou un de ses parens ou alliés jusqu'au 4e degré inclusivement ont un intérêt personnel direct.

Chapitre II.—*Des Attributions du Conseil.*

Art. 64. Le conseil présente les candidats pour la nomination des conseillers des cours d'appel, des présidens et vice-présidens des tribunaux de première instance, en se conformant à l'article 99 de la constitution et à la loi d'organisation judiciaire.

Art. 65. Le conseil prononce sur toutes les affaires d'intérêt provincial. Il nomme tous les employés provinciaux, à l'exception de ceux dont il attribue la nomination à la députation.

Art. 66. Chaque année le conseil arrête les comptes de recettes et dépenses de l'exercice précédent; il vote le budget des dépenses pour l'exercice suivant, et les moyens d'y faire face. Toutes les recettes et dépenses de la province doivent être portées au budget et dans les comptes.

Art. 67. Aucun transfert de dépense ne peut avoir lieu d'une section à l'autre, ni d'un article à l'autre du budget, sans l'autorisation du conseil et l'approbation du Roi.

Art. 68. Dans le mois qui suit la clôture de la session, les comptes sommaires par nature de recettes et dépenses, dûment arrêtés, sont insérés au *Mémorial administratif*, et déposés aux archives des deux Chambres. Il en est de même des budgets dans le mois qui suit leur approbation. Les comptes sont déposés au greffe de la province, à l'inspection du public, pendant un mois, à partir de l'arrêté de compte. Le public sera informé de ce dépôt par la voie du *Mémorial administratif* et d'un journal de la province.

Art. 69. Le conseil est tenu de porter annuellement au budget des dépenses toutes celles que les lois mettent à la charge de la province, et spécialement les suivantes: 1. Les menues dépenses des cours d'assises, des tribunaux de 1re instance, de commerce, de justices-de-paix et de simple police; 2. Les réparations de menu entretien des locaux des cours d'assises, des tribunaux de 1re instance et de commerce. Le loyer des mêmes locaux, l'achat et l'entretien de leur mobilier; 3. Les réparations d'entretien, conformément aux articles 605 et 606 du Code civil, des maisons d'arrêt et de justice civile et militaire de la province, autres que les grandes prisons de l'Etat et les maisons de passage. L'achat, l'entretien de leur mobilier, les frais des commissions administratives des prisons, autres que les grandes prisons de l'Etat. 4. Les salaires des messagers de canton, là où leur établissement est jugé nécessaire; 5. Les traitemens et frais de route, jusqu'à due concurrence, des ingénieurs et autres employés des ponts-et-chaussées, en service pour la province; 6. L'entretie des routes, les travaux hydrauliques et de desséchement qui sont légalement à charge de la province; 7. Le remboursement des frais de route avancés par les communes pour les voyageurs indigens; 8. Les frais des listes du jury et ceux des listes électorales concernant plusieurs communes; 9. Les dépenses relatives aux églises cathédrales, aux palais épiscopaux et aux séminaires diocésains, conformément aux décrets des 18 Germinal an XI et 30 Décembre 1809; 10. Le loyer, les contributions, l'entretien des édifices et bâtimens provinciaux, ou à l'usage de la province; 11. L'entretien et le renouvellement du mobilier provincial; 12. La moitié des frais des tables décennales de l'état-civil; 13. Les dettes de la province liquidées et exigibles, et celles résultant des condamnations judiciaires à sa charge; 14. Les pensions aux anciens employés de la province, conformément au réglement adopté par le conseil; 15. Le traitement des aliénés indigens et les frais d'entretien des indigens retenus

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dans les dépôts de mendicité, lorsqu'il sera reconnu par le conseil que les communes n'ont pas le moyen d'y pourvoir; 16. Les frais d'impression du budget et des comptes sommaires des recettes et dépenses de la province; 17. Les frais relatifs aux séances du conseil et l'indemnité allouée aux conseillers; 18. Les secours à accorder aux communes pour l'instruction primaire et moyenne et pour les grosses réparations des édifices communaux; 19. Les frais d'entretien des enfans trouvés, dans la proportion déterminée par la loi; 20. Les fonds destinés à faire face aux dépenses accidentelles ou imprévues de la province; 21. Les frais de casernement de la gendarmerie.

Art. 70. Sont spécialement à charge de l'Etat: 1. Les traitemens et frais de route du gouverneur et de la députation du conseil; 2. Le traitement du greffier provincial; 3. Le traitement des employés et les frais de bureau du gouvernement provincial; 4. Le loyer et l'entretien de l'hôtel du gouvernement provincial, l'entretien et le renouvellement de son mobilier; 5. Les traitemens et abonnemens des commissaires d'arrondissement; 6. Les frais concernant la milice et ceux des commissions médicales; 7. Les frais de loyer des bureaux de garantie pour les matières d'or et d'argent; 8. La moitié des frais des tables décennales de l'état civil.

Art. 71. Le conseil fixe le taux des traitemens et des pensions des employés salariés par la province.

Art. 72. Il décide de la création et de l'amélioration des établissemens publics aux frais de la province.

Art. 73. Il autorise les emprunts, les acquisitions, aliénations et échanges de biens de la province, et les transactions relatives aux mêmes biens.

Art. 74. Il autorise les actions en justice relatives aux biens de la province, soit en demandant, soit en défendant, sans préjudice de ce qui est statué à l'article 106 de la présente loi. Les actions sont exercées conformément à l'art. 124.

Art. 75. Le conseil statue sur la construction des routes, canaux et autres ouvrages publics à exécuter en tout ou en partie aux frais de la province.

Art. 76. Lorsqu'il s'agit d'exécuter des ouvrages d'entretien ou de réparation concernant plusieurs provinces, chaque province est appelée à en délibérer; en cas de contestation le gouvernement décide.

Art. 77. Il adopte les projets, plans et devis des travaux pour lesquels il vote des fonds, à moins qu'il ne les renvoie à l'approbation de la députation permanente.

Art. 78. Le classement des routes provinciales et de l'Etat est réglé par la loi, sur l'avis préalable des conseils provinciaux.

Art. 79. Le conseil prononce sur l'exécution des travaux qui intéressent à la fois plusieurs communes de la province et sur la part de la dépense afférente à chacune, en prenant leur avis préalable et sauf leur recours au Roi dans le délai de 40 jours, à partir de celui où la résolution leur a été notifiée.

Art. 80. Le conseil détermine la part des communes dans les dépenses occasionées par la garde de leurs aliénés indigens.

Art. 81. Il répartit entre les communes, conformément aux lois, le contingent des contributions directes assigné à la province; s'il n'a pu procéder à cette répartition, il en détermine les bases pour l'exercice suivant. Il prononce sur les réclamations et demandes en réduction qui lui sont adressées par les communes. Lorsque le conseil n'est pas assemblé, la députation permanente fait la répartition d'après les bases fixées par le conseil, et prononce sur les réclamations, sauf recours au conseil.

Art. 82. Le conseil prononce sur les demandes des conseils communaux, ayant pour objet l'établissement, la suppression, les changemens des foires et marchés dans la province. Il veille à ce qu'il ne soit mis à l'importation, à l'exportation, et au transit des denrées et marchandises, d'autres restrictions que celles établies en vertu des lois.

Art. 83. Le conseil donne son avis sur les changemens proposés pour la circonscription de la province, des arrondissemens, cantons et communes, et pour la désignation des chefs-lieux.

Art. 84. Le conseil peut charger un ou plusieurs de ses membres de la mission de recueillir sur les lieux les renseignemens dont il a besoin dans le cercle de ses attributions. Il peut correspondre avec les autorités constituées et les fonctionnaires publics à l'effet d'obtenir les mêmes renseignemens. Si, malgré deux avertissemens consécutifs constatés par la correspondance, des autorités administratives subordonnées sont en retard de donner les renseignemens demandés, le conseil peut déléguer un ou plusieurs de ses membres aux frais personnels desdites autorités, à l'effet de prendre les renseignemens sur les lieux.

Art. 85. Il peut faire des réglemens provinciaux d'administration intérieure et des ordonnances de police. Ces réglemens et ordonnances ne peuvent porter sur des objets déjà régis par des lois ou par des réglemens d'administration générale. Ils sont abrogés de plein droit si, dans la suite, il est statué sur les mêmes objets par des lois ou réglemens d'administration générale. Le conseil peut établir pour leur exécution des peines qui n'excèdent pas 8 jours d'emprisonnement et 200 fr. d'amende. Ils sont publiés dans la forme déterminée aux articles 117 et 118 de la présente loi.

Chapitre III.—*De l'Approbation et de l'Intervention du Roi, ou du Pouvoir Législatif, relativement aux Actes du Conseil.*

Art. 86. Sont soumises à l'approbation du Roi, avant d'être mises à exécution, les délibérations du conseil sur les objets suivans: 1. Le budget des dépenses de la province, les moyens d'y faire face et les emprunts; néanmoins, le conseil pourra régler, ou charger la députation de régler, les conditions de l'emprunt, sans qu'il soit besoin d'une nouvelle approbation, à moins que le Roi ne se la soit expressément réservée; 2. La création d'établissemens d'utilité publique aux frais de la province; 3. Les acquisitions, échanges, aliénations et transactions. Sont exceptés ceux de ces actes relatifs à des biens meubles ou immeubles dont la valeur n'excède pas 10,000 francs; 4. La construction des routes, canaux et d'autres ouvrages publics, en tout ou en partie aux frais de la province, dont la dépense totale excède 50,000 francs; 5. L'établissement, la suppression, les changemens de foires et marchés; 6. Les réglemens provinciaux d'administration intérieure et les ordonnances de police.

Art. 87. Les délibérations dont il s'agit à l'article précédent seront approuvées, s'il y a lieu, telles qu'elles auront été votées par le conseil et sans modification, sans préjudice aux dispositions de l'art. 107. Néanmoins le Roi peut refuser son approbation à un ou plusieurs articles du budget et l'approuver pour le surplus. De même, si le conseil ne porte point au budget, en tout ou en partie, les allocations nécessaires pour le paiement des dépenses obligatoires que les lois mettent à charge de la province, le gouvernement, la députation du conseil préalablement entendu, y portera ces allocations dans la proportion des besoins; si, dans ce cas, les fonds provinciaux sont insuffisans, il y sera pourvu par une loi.

Art. 88. Les délibérations du Conseil sur les objets mentionnées à l'article 86 seront considérées

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de plein droit comme approuvées par le Roi, si, dans le délai de 40 jours après celui de leur adoption par le Conseil Provincial, il n'est intervenu de décision contraire, ou au moins un arrêté motivé, par lequel le Gouvernement fixera le nouveau délai qui lui est nécessaire pour se prononcer.

Art. 89. Le Roi peut, dans le délai fixé par l'article 125, annuler les actes des conseils provinciaux qui blessent l'intérêt général ou sortent de leurs attributions. Il peut proroger indéfiniment la suspension établie par l'art. 125; dans ce cas il présente un projet de loi aux Chambres dans le cours de la session, ou, si elles ne sont pas assemblées, dans leur première session. Les actes des conseils provinciaux qui n'auront point été annulés par le Roi, conformément au premier paragraphe du présent article, ne pourront être annulés que par le pouvoir législatif. Les arrêtés royaux portant annulation ou suspension, en spécifieront les motifs. Ils seront insérés au Bulletin officiel. Les conseils provinciaux ne pourront, sous aucun prétexte, refuser de se conformer aux arrêtés portant annulation ou suspension de leurs actes.

Art. 90. Toute réunion de conseillers provinciaux se constituant et délibérant comme conseil provincial, hors le lieu ou le temps déterminé aux articles 42, 44, 45, et 46, est illégale. Tout acte délibéré dans une réunion illégale est nul de plein droit. Le Gouverneur prend les mesures nécessaires pour que l'assemblée se sépare immédiatement; il rédige procès-verbal du fait et le transmet au Procureur-Général du ressort. Les conseillers qui auront pris part à la délibération seront punis de six mois à deux ans d'emprisonnement; par le même arrêt ils pourront être déclarés exclus du conseil et inéligibles aux conseils provinciaux, pendant un terme qui ne pourra excéder quatre années, à partir de la condamnation. L'art. 463 du Code pénal est applicable aux délits prévus par le présent article.

Art. 91. Aucun conseil provincial ne pourra se mettre en correspondance avec le conseil d'une autre province sur des objets qui sortent de ses attributions. Aucun conseil provincial ne pourra faire des proclamations ou adresses aux habitans sans l'assentiment du Gouverneur.

Chapitre IV.—*De la Durée des Fonctions du Conseil.*

Art. 92. Les conseillers provinciaux sont élus pour le terme de quatre ans. Le conseil est renouvelé par moitié tous les deux ans. Le premier renouvellement aura lieu le premier Mardi du mois de Juillet de l'an 1836.

Art. 93. Dans la première session, les conseils provinciaux diviseront les cantons électoraux en deux séries. Le sort décidera laquelle des deux séries sortira la première.

Art. 94. Les démissions des conseillers doivent être adressées au conseil provincial, ou à la députation permanente, lorsqu'il n'est pas assemblé.

Art. 95. Lorsqu'un conseiller est décédé, ou lorsqu'il sort du conseil avant le terme de ses fonctions, celui qui le remplace ne siége que jusqu'à l'expiration de ce terme.

TITRE VII.—De la Deputation Permanente du Conseil.

Chapitre Premier.—*Du Nombre des Députés, des Incompatibilités et de la Durée de leurs Fonctions.*

Art. 96. La députation permanente du conseil est composée de six membres dans chaque province. Un de ses membres, au moins, sera pris, dans chaque arrondissement judiciaire, parmi les conseillers élus ou domiciliés dans le ressort.

Art. 97. Ne peuvent être membres de la députation: 1. Les fonctionnaires de l'ordre judiciaire; 2. Les ministres des cultes; 3. Les ingénieurs et conducteurs des ponts et chaussées et des mines; 4. Les employés de l'administration; 5. Les personnes chargées de l'instruction publique, salariées par l'Etat, la province ou la commune; 6. Les membres des administrations des villes et communes, leurs secrétaires, trésoriers et receveurs des administrations des pauvres, les receveurs des hospices et bureaux de bienfaisance; 7. Les fonctionnaires directement subordonnés au gouverneur, au conseil ou à la députation; 8. Les avocats plaidans, les avoués et les notaires; 9. Les parens ou alliés jusqu'au 4e degré inclusivement. L'alliance survenue pendant les fonctions ne les fait pas cesser.

Art. 98. Les avocats membres de la députation ne pourront consulter dans les affaires qui sont de nature à être soumises à la députation, ou dont elle aurait autorisé la poursuite. Ils ne peuvent prendre part aux délibérations relatives à des affaires sur lesquelles ils auraient été consultés avant leur élection à la députation.

Art. 99. Le membre de la députation nommé par le gouvernement à un emploi salarié qu'il accepte, cesse immédiatement de siéger en cette qualité, et ne reprend ses fonctions qu'en vertu d'une nouvelle élection.

Art. 100. Les membres de la députation sont élus pour le terme de quatre ans. La députation est renouvellée tous les deux ans par moitié dans l'ordre réglé par le sort; la première sortie aura lieu en 1836.

Art. 101. Tout membre de la députation qui s'absente des séances pendant un mois consécutif, sans congé de la députation, est réputé démissionnaire.

Art. 102. En cas de remplacement, le député nouvellement élu siége jusqu'à l'expiration du terme des fonctions de son prédécesseur, à moins qu'il ne cesse auparavant de faire partie du conseil.

Chapitre II.—*Dispositions générales concernant la Députation.*

Art. 103. Les membres de la députation avant d'entrer en fonctions prêtent le serment suivant; "Je jure fidélité au Roi, obéissance à la constitution, et aux lois du peuple Belge."

Art. 104. La députation est présidée par le gouverneur, ou par celui qui le remplace dans ses fonctions; le président a voix délibérative, mais non prépondérante: en cas d'empêchement, la députation nomme un de ses membres pour la présider. La députation soumet à l'approbation du conseil son réglement d'ordre et de service intérieur. Ce réglement sera également soumis à l'approbation du Roi. Elle ne peut délibérer si plus de la moitié de ses membres n'est présente. Toute résolution est prise à la majorité absolue des membres présens. En cas de partage des voix, si tous les membres n'ont pas assisté à la délibération, les absens sont appelés pour vider le partage. Il est tenu procès-verbal des délibérations. Les procès-verbaux font mention des noms des membres qui ont assisté à la séance.

Art. 105. Chaque membre de la députation jouit d'un traitement annuel de trois mille francs, dont la moitié sera réservée pour former un fonds de présence, à partager tous les trois mois entre les membres, suivant le nombre des séances auxquelles ils ont assisté pendant le trimestre écoulé; à cet effet, il sera tenu un registre de présence; le président est spécialement chargé de veiller à l'exécution de cette disposition.

Art. 106. La députation donne son avis sur toutes les affaires qui lui sont soumises à cet effet, en vertu des lois ou par le gouvernement. Elle délibère, tant en l'absence que durant la session du

Papers referred to in Mr. Hume's Examination.

conseil, sur tout ce qui concerne l'administration journalière des intérêts de la province et sur l'exécution des lois pour lesquelles son intervention est requise, ou qui lui sont adressées à cet effet par le gouvernement; elle délibère également sur les réquisitions qui lui sont faites par le gouverneur. Elle peut défendre en justice à toute action intentée contre la province; elle peut intenter sans délibération préalable du conseil, lorsqu'il n'est pas assemblé, les actions qui ont pour objet des biens meubles, ainsi que les actions possessoires, et faire tous actes conservatoires; les actions sont exercées conformément à l'art. 124 de la présente loi.

Art. 107. Lorsque le conseil ne sera pas assemblé, la députation pourra prononcer sur les affaires qui sont spécialement réservées au conseil dans tous les cas où elles ne sont point susceptibles de remise et à charge de lui en donner connaissance à la première réunion. Cette faculté ne s'étend pas aux budgets, aux comptes, ni aux nominations et aux présentations des candidats déférées au conseil. Le conseil pourra rapporter ou modifier les décisions de la députation autorisées par le présent article, sans préjudice néanmoins de l'exécution qui leur aurait été donnée.

Art. 108. Les membres de la députation ne peuvent prendre part directement ni indirectement dans aucun service, perception de droit, fourniture ou adjudication de travaux publics pour compte de la province, de l'Etat ou des communes dans la province.

Art. 109. La députation peut charger un ou plusieurs de ses membres d'une mission, lorsque l'intérêt du service l'exige.

Art. 110. La députation peut, après deux avertissemens consécutifs constatés par la correspondance, charger un ou plusieurs commissaires de se transporter sur les lieux aux frais personnels des autorités administratives subordonnées, en retard de satisfaire aux avertissemens, à l'effet de recueillir les renseignemens ou observations demandés, ou de mettre à exécution les mesures prescrites par le conseil ou par la députation.

Art. 111. La députation désigne un ou plusieurs de ses membres aussi souvent qu'elle le juge convenable, et au moins une fois par an, pour vérifier l'état des recettes et dépenses de la province.

Art. 112. Il ne peut être disposé des fonds de la province que sur les mandats délivrés par la députation. Ces mandats seront signés par le président et le greffier; ils seront adressés directement à la Cour des Comptes et revêtus de son visa avant le paiement; néanmoins, les députations pourront ordonner le paiement immédiat de leurs mandats jusqu'à concurrence des 4-5es de la créance; l'autre 5e ne pourra être payé qu'ensuite du visa de la Cour, qui reste chargée de faire la vérification définitive de la créance entière. La députation du conseil transmettra, au commencement de chaque mois, au ministre de l'intérieur, l'état des liquidations opérées et demandées sur les fonds provinciaux pendant le mois précédent. Aucun mandat ne peut être payé que dans les limites des crédits ouverts aux budgets de la province.

Art. 113. Avant la fin de chaque mois, le ministre des finances mettra à la disposition des députations des conseils les fonds perçus par les employés des finances dans le mois précédent pour le compte des provinces.

Art. 114. Lorsque les conseils établiront des receveurs particuliers pour les fonds provinciaux, ils détermineront les garanties qui seront exigées de ces comptables. Les provinces jouiront des mêmes droits d'hypothèques sur les biens de ces comptables, que ceux établis sur les biens des comptables envers les communes.

Art. 115. Chaque année, à l'ouverture de la session ordinaire du conseil, la députation lui fait un exposé de la situation de la province sous le rapport de son administration; cet exposé est inséré au *Mémorial administratif*. Elle lui soumet les comptes des recettes et dépenses de l'exercice précédent avec le projet de budget des dépenses et des voies et moyens pour l'exercice suivant. Elle lui soumet toutes les autres propositions qu'elle croit utiles.

Art. 116. Sont applicables à la députation, l'art. 63; le no. 2 de l'art. 82; l'art. 86 dans les cas prévus par l'art. 107, et les art. 89 et 91 de la présente loi. Dans les cas prévus par l'art. 107, les résolutions et les actes de la députation seront aussitôt rendus publics par leur insertion au *Mémorial administratif*.

Art. 117. Les réglemens et les ordonnances du conseil ou de la députation sont publiés en leur nom, signés par leur président respectif, et contresignés par le greffier provincial. Les réglemens ou ordonnances d'administration provinciale sont publiés par la voie du *Mémorial administratif* de la province dans la forme suivante: Le conseil provincial (ou la députation du conseil provincial) de la province de.... (arrête ou ordonne.)————(Suivent les réglemens ou ordonnances.)

Art. 118. Les réglemens ou ordonnances signés par le président et contresignés par le greffier provincial, munis de l'approbation du Roi, quand il y a lieu, seront transmis aux autorités que la chose concerne. Ils deviennent obligatoires le huitième jour après celui de l'insertion dans le *Mémorial administratif*, sauf le cas où ce délai aurait été abrégé par le réglement ou l'ordonnance. Le conseil ou la députation pourra, outre l'insertion dans le *Mémorial administratif*, prescrire un mode particulier de publication.

TITRE VIII.—Du Greffier Provincial.

Art. 119. Le greffier provincial assiste aux séances du conseil ou de la députation; il est spécialement chargé de la rédaction des procès-verbaux et de la transcription de toutes les délibérations; il tient à cet effet des registres distincts pour le conseil et la députation, sans blanc ni interligne; ces registres sont cotés et paraphés par le président du conseil. Les actes ainsi transcrits, de même que les minutes de toutes les délibérations, sont signés par le greffier, soit avec le président du conseil ou de la députation, soit avec tous les membres de la députation qui y ont assisté, conformément à ce qui est statué par le réglement. En cas d'empêchement du greffier, la députation désignera un de ses membres pour le remplacer.

Art. 120. Les expéditions sont délivrées sous la signature du greffier et le sceau de la province dont il est le dépositaire.

Art. 121. Le greffier a la garde des archives; il est tenu de communiquer, sans déplacement, aux membres du conseil et de la députation, toutes les pièces qui lui sont demandées, et d'en délivrer, au besoin, des copies. Il transmet à chaque conseiller provincial un exemplaire de tout ce qui est imprimé au nom du conseil et de la députation. Il est tenu de donner communication, sans déplacement, à toute personne intéressée, des actes du conseil ou de la députation et des pièces déposées aux archives. Il surveille les bureaux sous la direction du gouverneur et conformément à ses ordres. Il jouit d'un traitement annuel de 5,000 fr. Il est tenu de résider au chef-lieu de la province.

Papers referred to in Mr. Hume's Examination.

TITRE IX.—Du Gouverneur.

Chapitre Premier.—*Du Gouverneur dans ses Rapports avec le Conseil ou la Députation.*

Art. 122. Le gouverneur veille à l'instruction préalable des affaires qui sont soumises au conseil ou à la députation.

Art. 123. Le gouverneur ou celui qui le remplace dans ses fonctions a le droit d'assister aux délibérations du conseil ; il peut se faire assister de commissaires ; il est entendu quand il le demande ; il peut adresser au conseil, qui est tenu d'en délibérer, tel réquisitoire qu'il trouve convenable. Le conseil peut requérir sa présence.

Art. 124. Le gouverneur est seul chargé de l'exécution des délibérations prises par le conseil ou la députation. Les actions de la province, en demandant ou en défendant, sont exercées au nom de la députation, poursuite et diligence du gouverneur.

Art. 125. Lorsque le conseil ou la députation a pris une résolution qui sort de ses attributions ou blesse l'intérêt général, le gouverneur est tenu de prendre son recours auprès du gouvernement dans les dix jours, et de le notifier au conseil ou à la députation, au plus tard, dans le jour qui suit le recours. Le recours est suspensif de l'exécution pendant trente jours, à dater de la notification. Si, dans ce délai, le gouvernement n'a pas prononcé, la résolution sera exécutoire.

Chapitre II.—*Des Dispositions générales concernant le Gouverneur.*

Art. 126. Le gouverneur réside au chef-lieu de la province. Il dirige et surveille les travaux des bureaux ; le greffier et les employés des bureaux sont sous ses ordres ; il nomme et révoque ces derniers.

Art. 127. Lorsque les autorités administratives ou les fonctionnaires subordonnés à l'administration provinciale sont en retard de lui donner les avis et informations qu'il requiert dans l'intérêt de ses fonctions, il peut, après leur avoir fixé un nouveau délai, envoyer à leurs frais personnels un commissaire spécial, pour recueillir les renseignemens demandés.

Art. 128. Le gouverneur veille au maintien de la tranquillité et du bon ordre dans la province, à la sûreté des personnes et des propriétés. A cet effet, il dispose de la gendarmerie et des gardes civiques, en se conformant aux lois sur la matière.

Art. 129. En cas de rassemblemens tumultueux, de sédition, ou d'opposition avec voie de fait à l'exécution des lois ou des ordonnances légales, le gouverneur a le droit de requérir la force armée. Il en informe immédiatement les ministres de l'intérieur et de la guerre ; l'officier commandant est tenu d'obtempérer à la réquisition écrite du gouverneur.

Art. 130. Il est défendu au gouverneur de prendre, directement ou indirectement, une part quelconque dans aucune fourniture, adjudication ou entreprise faites ou à faire dans la province, pour le compte de l'Etat ou d'une administration publique.

Art. 131. Le gouverneur fait, au moins une fois par an, la vérification de la caisse provinciale ; il peut vérifier les caisses publiques toutes les fois qu'il le juge nécessaire.

TITRE X.—Des Commissaires d'Arrondissement.

Art. 132. Il y a, pour chaque arrondissement administratif, un commissaire du gouvernement, portant le titre de commissaire d'arrondissement. Ses attributions s'étendent sur les communes rurales, et, en outre, sur les villes dont la population est inférieure à 5,000 âmes, pour autant que ces villes ne soient pas chefs-lieux d'arrondissement.

Art. 133. Les commissaires d'arrondissement sont spécialement chargés, sous la direction du gouverneur et de la députation du conseil provincial, de surveiller l'administration des communes rurales et des villes désignées en l'article précédent, et de veiller au maintien des lois et des réglemens d'administration générale, et à l'exécution des résolutions prises par le conseil provincial ou la députation.

Art. 134. Lorsque la députation envoie directement des résolutions à une ou plusieurs administrations communales, elles donnent connaissance de ces pièces au commissaire d'arrondissement.

Art. 135. Ils prennent inspection dans les communes, au moins une fois par an, des registres de l'état-civil, et donnent connaissance à la députation du conseil des irrégularités ou inexactitudes qu'ils y découvrent.

Art. 136. Ils visitent, au moins une fois par an, toutes les communes de leur ressort ; ils vérifient les caisses communales chaque fois qu'ils le jugent convenable. Ils peuvent visiter les établissemens communaux de leur ressort. Ils font immédiatement rapport au gouverneur sur tout événement extraordinaire qui arrive dans leur arrondissement.

Art. 137. Un mois avant la réunion du conseil provincial, ils adressent à la députation un rapport sur les améliorations à introduire dans leur arrondissement, sur ses besoins, et sur tout ce qui est de nature à être soumis au conseil provincial.

Art. 138. Ils sont en outre tenus de faire, au mois de Janvier de chaque année, à la députation du conseil, un rapport général sur l'état de leur arrondissement pendant le cours de l'année précédente. Ce rapport doit être accompagné d'un tableau statistique formé d'après les modèles qui leur sont donnés.

Art. 139. Les dispositions de l'art. 128 sont communes aux commissaires d'arrondissement.

Disposition commune au Gouverneur, au Greffier, et aux Commissaires d'Arrondissement.

Art. 140. Il y a incompatibilité entre les fonctions de gouverneur de province, de greffier provincial ou commissaire d'arrondissement, et celles désignées sous les huit premiers numéros de l'art. 97, y compris les avocats consultans. Le no. 9 de l'art. 97 s'applique également à la parenté et à l'alliance entre le gouverneur, le greffier provincial et les commissaires d'arrondissement, ou de l'un des deux premiers avec un membre de la députation du conseil.

DISPOSITIONS TRANSITOIRES.

Art. 141. Les députations permanentes des états-provinciaux et les autorités qui, dans quelques provinces, remplacent ces mêmes députations, continueront leurs fonctions en se conformant aux dispositions de la présente loi, jusqu'à l'installation des députations des conseils provinciaux. Les greffiers des états continueront leurs fonctions jusqu'à l'époque à laquelle il aura été fait une nomination nouvelle en vertu de la présente loi.

Papers referred to in Mr. Hume's Examination.

ART. 142. Le Roi fixera la première réunion des colléges électoraux et des conseils provinciaux.

ART. 143. En attendant la loi sur l'organisation communale, les rapports entre les autorités provinciales et les administrations locales, établis par les dispositions en vigueur, continueront d'être observés, pour autant qu'ils ne sont point contraires à la présente loi.

ART. 144. En attendant l'approbation du Roi à laquelle les réglemens d'ordre intérieur sont soumis par les articles 50 et 104 de la présente loi, ces réglemens seront provisoirement exécutés tels qu'ils auront été arrêtés ou approuvés par le conseil.

ART. 145. Toute disposition contraire à la présente loi est abrogée. Mandons et ordonnons, etc.

Bruxelles, le 16 *Juin*, 1834.

LES SECRETAIRES,
Signés, DE RENESSE.
H. DELLAFAILLE.

LE PRESIDENT DE LA CHAMBRE DES REPRESENTANS,
Signé, RAIKEM.

LOI

Sur l'Organisation des Conseils Généraux de Département et des Conseils d'Arrondissement.—A Paris, au Palais des Tuileries, le 22 *Juin*, 1833.

LOUIS-PHILIPPE, Roi des Français, à tous présens et à venir, salut.

Les Chambres ont adopté, nous avons ordonné et ordonnons ce qui suit:

TITRE PREMIER.—*Formation des Conseils Généraux.*

ARTICLE PREMIER. Il y a dans chaque département un conseil général.

ART. 2. Le conseil général est composé d'autant de membres qu'il y a de cantons dans le département, sans pouvoir toutefois excéder le nombre trente.

ART. 3. Un membre du conseil général est élu dans chaque canton par une assemblée électorale composée des électeurs et des citoyens portés sur la liste du jury : si leur nombre est au-dessous de cinquante, le complément sera formé par l'appel des citoyens les plus imposés. Dans les départemens qui ont plus de trente cantons, des réunions de cantons seront opérées conformément au tableau ci-annexé, de telle sorte que le département soit divisé en trente circonscriptions électorales. Les électeurs, les citoyens inscrits sur la liste du jury, et les plus imposés portés sur la liste complémentaire dans chacun des cantons réunis, formeront une seule assemblée électorale.

ART. 4. Nul ne sera éligible au conseil général de département s'il ne jouit des droits civils et politiques, si au jour de son élection il n'est âgé de vingt-cinq ans, et s'il ne paie, depuis un an au moins, 200 fr. de contributions directes dans le département. Toutefois si, dans un arrondissement de sous-préfecture, le nombre des éligibles n'est pas sextuple du nombre des conseillers de département qui doivent être élus par les cantons ou circonscriptions électorales de cet arrondissement, le complément sera formé par les plus imposés.

ART. 5. Ne pourront être nommés membres des conseils généraux:—1. Les préfets, sous-préfets, secrétaires généraux et conseillers de préfecture; 2. Les agens et comptables employés à la recette, à la perception ou au recouvrement des contributions, et au paiement des dépenses publiques de toute nature; 3. Les ingénieurs des ponts et chaussées et les architectes actuellement employés par l'administration dans le département; 4. Les agens forestiers en fonctions dans le département, et les employés des bureaux des préfectures et sous-préfectures.

ART. 6. Nul ne peut être membre de plusieurs conseils généraux.

ART. 7. Lorsqu'un membre du conseil général aura manqué à deux sessions consécutives sans excuses légitimes ou empêchement admis par le conseil, il sera considéré comme démissionnaire, et il sera procédé à une nouvelle élection, conformément à l'article 11.

ART. 8. Les membres des conseils généraux sont nommés pour *neuf* ans; ils sont renouvelés par *tiers* tous les *trois* ans, et sont indéfiniment rééligibles. A la session qui suivra la première élection des conseils généraux, le conseil général divisera les cantons ou circonscriptions électorales du département en trois séries, en répartissant autant qu'il sera possible dans une proportion égale les cantons ou circonscriptions électorales de chaque arrondissement dans chacune des séries. Il sera procédé à un tirage au sort pour régler l'ordre de renouvellement entre les séries. Ce tirage se fera par le préfet en conseil de préfecture et en séance publique.

ART. 9. La dissolution d'un conseil général peut être prononcée par le Roi; en ce cas, il est procédé à une nouvelle élection avant la session annuelle, et au plus tard dans le délai de trois mois à dater du jour de la dissolution.

ART. 10. Le conseiller de département élu dans plusieurs cantons ou circonscriptions électorales sera tenu de déclarer son option au préfet dans le mois qui suivra les élections entre lesquelles il doit opter. A défaut d'option dans ce délai, le préfet, en conseil de préfecture et en séance publique, décidera par la voie du sort à quel canton ou circonscription électorale le conseiller appartiendra. Il sera procédé de la même manière lorsqu'un citoyen aura été élu à la fois membre du conseil général et membre d'un ou plusieurs conseils d'arrondissement.

ART. 11. En cas de vacance par option, décès, démission, perte des droits civils ou politiques, l'assemblée électorale qui doit pourvoir à la vacance sera réunie dans le délai de deux mois.

TITRE II.—*Règles de la Session des Conseils Généraux.*

ART. 12. Un conseil général ne peut se réunir s'il n'a été convoqué par le préfet en vertu d'une ordonnance du Roi, qui détermine l'époque et la durée de la session. Au jour indiqué pour la réunion du conseil général, le préfet donnera lecture de l'ordonnance de convocation, recevra le serment des conseillers nouvellement élus, et déclarera au nom du Roi que la session est ouverte. Les membres nouvellement élus qui n'ont pas assisté à l'ouverture de la session ne prennent séance qu'après avoir prêté serment entre les mains du président du conseil général. Le conseil, formé sous la présidence du doyen d'âge, le plus jeune faisant les fonctions de secrétaire, nommera au scrutin et à la majorité absolue des voix son président et son secrétaire. Le préfet a entrée au conseil général; il est entendu quand il le demande, et assiste aux délibérations, excepté lorsqu'il s'agit de l'apurement de ses comptes.

ART. 13. Les séances du conseil général ne sont pas publiques; il ne peut délibérer que si la

Papers referred to in Mr. Hume's Examination.

moitié plus un des conseillers sont présens ; les votes sont recueillis au scrutin secret toutes les fois que *quatre* des conseillers présens le réclament.

Art. 14. Tout acte ou toute délibération d'un conseil général, relatifs à des objets qui ne sont pas légalement compris dans ses attributions, sont nuls et de nul effet. La nullité sera prononcée par une ordonnance du Roi.

Art. 15. Toute délibération prise hors de la réunion légale du conseil général est nulle de droit. Le préfet, par un arrêté pris en conseil de préfecture, déclare la réunion illégale, prononce la nullité des actes, prend toutes les mesures nécessaires pour que l'assemblée se sépare immédiatement, et transmet son arrêté au procureur général du ressort pour l'exécution des lois, et l'application, s'il y a lieu, des peines déterminées par l'article 258 du Code pénal. En cas de condamnation, les membres condamnés sont exclus du conseil, et inéligibles aux conseils de département et d'arrondissement pendant les trois années qui suivront la condamnation.

Art. 16. Il est interdit à tout conseil général de se mettre en correspondance avec un ou plusieurs conseils d'arrondissement ou de département. En cas d'infraction à cette disposition, le conseil général sera suspendu par le préfet en attendant que le Roi ait statué.

Art. 17. Il est interdit à tout conseil général de faire ou de publier aucune proclamation ou adresse. En cas d'infraction à cette disposition, le préfet déclarera par arrêté que la session du conseil général est suspendue ; il sera statué définitivement par ordonnance royale.

Art. 18. Dans les cas prévus par les deux articles précédens, le préfet transmettra son arrêté au procureur général du ressort pour l'exécution des lois, et l'application, s'il y a lieu, des peines déterminées par l'article 123 du Code pénal.

Art. 19. Tout éditeur, imprimeur, journaliste ou autre, qui rendra publics les actes interdits au conseil général par les articles 15, 16 et 17, sera passible des peines portées par l'article 123 du Code pénal.

TITRE III.—*Des Conseils d'Arrondissement.*

Art. 20. Il y aura dans chaque arrondissement de sous-préfecture un conseil d'arrondissement composé d'autant de membres que l'arrondissement a de cantons, sans que le nombre des conseillers puisse être au-dessous de neuf.

Art. 21. Si le nombre des cantons d'un arrondissement est inférieur à neuf, une ordonnance royale répartira entre les cantons les plus peuplés le nombre de conseillers d'arrondissement à élire pour complément.

Art. 22. Les conseillers d'arrondissement sont élus dans chaque canton par l'assemblée électorale, composée conformément au premier paragraphe de l'article 3. Dans les départemens où, conformément au deuxième paragraphe du même article 3, des cantons ont été réunis, les membres de cette assemblée électorale sont convoqués séparément dans leurs cantons respectifs pour élire les conseillers d'arrondissement.

Art. 23. Les membres des conseils d'arrondissement peuvent être choisis parmi tous les citoyens âgés de vingt-cinq ans accomplis, jouissant des droits civils et politiques, payant dans le département, depuis un an au moins, 150 fr. de contributions directes, dont le tiers dans l'arrondissement, et qui ont leur domicile réel ou politique dans le département. Si le nombre des éligibles n'est pas sextuple du nombre des membres du conseil d'arrondissement, le complément sera formé par les plus imposés. Les incompatibilités prononcées par l'article 5 sont applicables aux conseillers d'arrondissement.

Art. 24. Nul ne peut être membre de plusieurs conseils d'arrondissement, ni d'un conseil d'arrondissement et d'un conseil général.

Art. 25. Les membres des conseils d'arrondissement sont élus pour six ans. Ils sont renouvelés par moitié tous les trois ans. A la session qui suivra la première élection, le conseil général divisera en deux séries les cantons de chaque arrondissement. Il sera procédé à un tirage au sort pour régler l'ordre de renouvellement entre les deux séries. Ce tirage se fera par le préfet en conseil de préfecture et en séance publique.

Art. 26. Les articles 7, 9, 10, 11, de la présente loi, sont applicables aux conseils d'arrondissement.

TITRE IV.—*Règles pour la Session des Conseils d'Arrondissement.*

Art. 27. Les conseils d'arrondissement ne pourront se réunir s'ils n'ont été convoqués par le préfet, en vertu d'une ordonnance du Roi, qui détermine l'époque et la durée de la session. Au jour indiqué pour la réunion d'un conseil d'arrondissement, le sous-préfet donne lecture de l'ordonnance du Roi, reçoit le serment des conseillers nouvellement élus, et déclare, au nom du Roi, que la session est ouverte. Les membres nouvellement élus, qui n'ont point assisté à l'ouverture de la session, ne prennent séance qu'après avoir prêté serment entre les mains du président du conseil d'arrondissement. Le conseil, formé sous la présidence du doyen d'âge, le plus jeune faisant les fonctions de secrétaire, nommera au scrutin, et à la majorité absolue des voix, son président et son secrétaire. Le sous-préfet a entrée dans le conseil d'arrondissement ; il est entendu quand il le demande, et assiste aux délibérations.

Art. 28. Les articles 13, 14, 15, 16, 17, 18, et 19, sont applicables à la session des conseils d'arrondissement.

TITRE V.—*Des Listes d'Électeurs.*

Art. 29. Si un électeur, qui, aux termes de l'article 10 de la loi du 19 Avril, 1831, a choisi son domicile politique hors de son domicile réel, veut néanmoins coopérer à l'élection des conseillers de département ou d'arrondissement dans le canton de son domicile réel, il sera tenu d'en faire, trois mois d'avance, une déclaration expresse aux greffes des justices de paix du canton de son domicile politique et de son domicile réel.

Art. 30. Les citoyens qui n'ont pas été portés sur la liste départementale du jury à cause de l'incompatibilité résultant de l'article 383 du Code d'Instruction criminelle, seront d'office, ou sur leur réclamation, inscrits comme ayant droit de coopérer à l'élection des conseillers de département ou d'arrondissement dans le canton de leur domicile réel.

Art. 31. La liste supplémentaire qui comprendra les citoyens désignés aux deux articles précédens sera dressée par canton dans les mêmes formes, dans les mêmes délais, et de la même manière que les listes électorales prescrites par la loi du 19 Avril, 1831.

Art. 32. S'il y a moins de cinquante citoyens inscrits sur lesdites listes, le préfet dressera une troisième liste, comprenant les citoyens ayant domicile réel dans le canton qui devront compléter le nombre de cinquante, conformément à l'article 3 de la présente loi. Cette liste sera affichée dans

Papers referred to in Mr. Hume's Examination.

toutes les communes du canton. Toutes les fois que le nombre des citoyens portés sur la liste électorale d'un canton, et sur la liste supplémentaire mentionnée à l'article 31, ne s'élèvera pas au-delà de cinquante, le préfet fera publier, dans les communes du canton, une liste dressée dans la même forme, et contenant les noms des dix citoyens susceptibles d'être appelés à compléter le nombre de cinquante par suite des changemens qui surviendraient ultérieurement dans les listes électorales ou du jury.

Art. 33. Tout citoyen payant dans un canton une somme de contributions qui le placerait sur la susdite liste des plus imposés pourra se faire inscrire, bien qu'il n'y ait point son domicile réel, en faisant la déclaration prescrite par l'article 29.

TITRE VI.—*De la Tenue des Assemblées Electorales.*

Art. 34. Les assemblées électorales sont convoquées par le préfet au chef-lieu de canton, et, lorsque l'assemblée comprend plus d'un canton, au chef-lieu d'un des cantons réunis. Toutefois le préfet pourra désigner, pour la tenue de l'assemblée, le chef-lieu d'une commune plus centrale ou de communications plus faciles.

Art. 35. Il n'y aura qu'une seule assemblée lorsque le nombre des citoyens appelés à voter ne sera pas supérieur à trois cents. Au-delà de ce nombre, le préfet prendra un arrêté pour diviser l'assemblée en sections; aucune section ne pourra comprendre moins de cent ni plus de trois cents.

Art. 36. Si l'assemblée n'est pas fractionnée en sections, la présidence appartient au maire du chef-lieu de canton. Dans le cas contraire, le maire préside la première section. Les adjoints, et, à défaut des adjoints, les membres du conseil municipal de cette commune, selon l'ordre du tableau, président les autres sections. Le droit de suffrage est exercé par le président de l'assemblée et par les présidens de sections, même lorsqu'ils ne sont pas inscrits sur les listes.

Art. 37. Le président a seul la police de l'assemblée ou de la section où il siége; les assemblées ne peuvent s'occuper d'aucun autre objet que des élections qui leur sont attribuées. Toutes discussions, toutes délibérations leur sont interdites.

Art. 38. Nul électeur ne peut se présenter armé dans l'assemblée.

Art. 39. Le président appelle au bureau, pour remplir les fonctions de scrutateurs, les deux plus âgés et les deux plus jeunes des électeurs présens à la séance, sachant lire et écrire. Le bureau ainsi constitué désigne le secrétaire.

Art. 40. Nul ne pourra être admis à voter s'il n'est inscrit, soit sur la liste des électeurs et du jury, soit sur la liste supplémentaire mentionnée à l'article 31, soit enfin sur la liste des plus imposés mentionnée à l'article 32. Ces listes seront affichées dans la salle, et déposées sur le bureau du président; toutefois le bureau sera tenu d'admettre à voter ceux qui se présenteraient munis d'un arrêt de cour royale déclarant qu'ils font partie d'une des listes susdites, et ceux qui sont en instance, soit devant le tribunal, soit devant le conseil de préfecture, au sujet d'une décision qui aurait ordonné que leurs noms seraient rayés de la liste. Cette admission n'entraînera aucun retranchement sur la liste complémentaire des plus imposés.

Art. 41. Avant de voter pour la première fois, chaque membre de l'assemblée prête le serment prescrit par la loi du 31 Août, 1830.

Art. 42. Chaque électeur, après avoir été appelé, reçoit du président un bulletin ouvert où il écrit ou fait écrire secrètement son vote, par un électeur de son choix, sur une table disposée à cet effet, et séparée du bureau; puis il remet son bulletin écrit et fermé au président, qui le dépose dans la boîte destinée à cet usage.

Art. 43. La table placée devant le président et les scrutateurs sera disposée de telle sorte que les électeurs puissent circuler à l'entour pendant le dépouillement du scrutin.

Art. 44. Les votans sont successivement inscrits sur une liste qui est ensuite annexée au procès-verbal des opérations, après avoir été certifiée et signée par les membres du bureau.

Art. 45. La présence du *tiers* plus un des électeurs inscrits sur les listes, et la majorité absolue des votes exprimés sont nécessaires, au premier tour de scrutin, pour qu'il y ait élection. Au deuxième tour de scrutin, la majorité relative suffit, quel que soit le nombre des électeurs présens. En cas d'égalité du nombre de suffrages, l'élection est acquise au plus âgé.

Art. 46. Lorsque la boîte du scrutin aura été ouverte et le nombre des bulletins vérifié, un des scrutateurs prendra successivement chaque bulletin, le dépliera, le remettra au président, qui en fera la lecture à haute voix et le passera à un autre scrutateur. Immédiatement après le dépouillement, les bulletins seront brûlés en présence de l'assemblée. Dans les assemblées divisées en plusieurs sections, le dépouillement du scrutin se fait dans chaque section; le résultat en est arrêté et signé par les membres du bureau; il est immédiatement porté par le président de chaque section au bureau de la première section, qui fait, en présence des présidens de toutes les sections, le recensement général des votes.

Art. 47. Les deux tours de scrutin prévus par l'article 45 ci-dessus peuvent avoir lieu le même jour; mais chaque scrutin doit rester ouvert pendant trois heures au moins. Trois membres au moins du bureau, y compris le secrétaire, doivent toujours être présens.

Art. 48. Le bureau statue provisoirement sur les difficultés qui s'élèvent au sujet des opérations de l'assemblée.

Art. 49. En aucun cas, les opérations de l'assemblée électorale ne pourront durer plus de deux jours.

Art. 50. Les procès-verbaux des opérations des assemblées remis par les présidens sont, par l'intermédiaire du sous-préfet, transmis au préfet, qui, s'il croit que les conditions et formalités légalement prescrites n'ont pas été observées, doit dans le délai de quinze jours, à dater de la réception du procès-verbal, déférer le jugement de la nullité au conseil de préfecture, lequel prononcera dans le mois.

Art. 51. Tout membre de l'assemblée électorale a le droit d'arguer les opérations de nullité. Si sa réclamation n'a pas été consignée au procès-verbal, elle est déposée dans le délai de cinq jours, à partir du jour de l'élection, au secrétariat de la sous-préfecture, et jugée, sauf recours, par le conseil de préfecture, dans le délai d'un mois, à compter de sa réception à la préfecture.

Art. 52. Si la réclamation est fondée sur l'incapacité légale d'un ou de plusieurs membres élus, la question est portée devant le tribunal de l'arrondissement, qui statue, sauf l'appel. L'acte d'appel devra, sous peine de nullité, être notifié dans les dix jours à la partie, quelle que soit la distance des lieux. La cause sera jugée sommairement, et conformément au paragraphe 4 de l'article 33 de la loi du 19 Avril, 1831.

Papers referred to in Mr. Hume's Examination.

ART. 53. Le recours au conseil d'Etat sera exercé par la voie contentieuse, jugé publiquement et sans frais.

ART. 54. Le recours devant le conseil d'Etat sera suspensif lorsqu'il sera exercé par le conseiller élu. L'appel des jugemens des tribunaux ne sera pas suspensif lorsqu'il sera interjeté par le préfet.

TITRE VII.—*Dispositions transitoires.*

ART. 55. L'élection des conseils généraux et des conseils d'arrondissement sera faite dans le délai de six mois, à dater de la promulgation de la présente loi.

ART. 56. Le tableau des réunions de cantons prescrites par l'article 3 de la présente loi, dans les départemens qui ont plus de trente cantons, sera communiqué aux conseils généraux et aux conseils d'arrondissement institués en vertu de la présente loi, dans leur plus prochaine session. Les observations que pourraient faire ces conseils sur les réunions de cantons seront imprimées et distribuées aux Chambres.

ART. 57. La présente loi n'est pas applicable au département de la Seine; il sera statué à son égard par une loi spéciale.

La présente loi, discutée, délibérée et adoptée par la Chambre des Pairs et par celle des Députés, et sanctionnée par nous cejourd'hui, sera exécutée comme loi de l'Etat.

Donnons en mandement à nos Cours et Tribunaux, Préfets, Corps administratifs, et tous autres, que les présentes ils gardent et maintiennent, fassent garder, observer et maintenir, et pour les rendre plus notoires à tous, ils les fassent publier et enregistrer partout où besoin sera; et, afin que ce soit chose ferme et stable à toujours, nous y avons fait mettre notre sceau.

Fait à Paris, au Palais des Tuileries, le 22e jour du mois de Juin, l'an 1833.

Signé, LOUIS-PHILIPPE.

Vu et scellé du grand sceau :
Le Garde des Sceaux de France, Ministre Secrétaire d'Etat au département de la Justice.
Signé, BARTHE.

Par le Roi :
Le Pair de France, Ministre Secrétaire d'Etat au département de l'Intérieur et des Cultes.
Signé, Comte D'ARGOUT.

APPENDIX (B.)

COMMUNICATIONS UPON THE SUBJECT OF DIMINISHING PROSECUTIONS BY THE PREVENTION OF CRIME.—POLICE.—CONSTABLES.—CONVEYANCE, &c.

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

Extract of a Letter from J. COLES, *Esq., enclosing a Petition from the Magistrates of Monmouthshire.*

Michaelstone, Newport, Monmouthshire.

The enclosed petition was intended for the House of Commons, but it is now thought more advisable to refer it to the County Rate Commissioners, *strongly* recommending it to their serious consideration as absolutely necessary to add to the efficiency of county magistrates, and *to the saving of vast sums* of money (paid out of county rates), by the *prevention* of crimes, instead of the heavy expense of prosecutions, conveyance to gaol, and maintenance of prisoners both before and after trial; besides the good conduct and comfort of every neighbourhood in which an efficient police has been established.

PETITION.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of the undersigned acting magistrates within the several districts or divisions of Newport, Bedwelty, Christchurch, and Caerleon, comprising 47 parishes in the county of Monmouth,—

Humbly showeth,

That several serious crimes and depredations have of late been committed, and are daily increasing to an alarming extent, in the different parishes, townships, and hamlets within the above-named divisions. That the parochial and other constables within the said divisions are for the most part incompetent to the discharge of the duties imposed on them, and that able and competent persons are unwilling to serve the office, in consequence of the loss of time and expense incurred in so doing; for which little or no remuneration is allowed, though they are usually selected from those classes who are indebted to their daily labour for their means of support.

That, from the manner in which they are chosen and called upon to act, they cannot be put under any general system of efficient control, or be made to co-operate one with another, or be rendered subservient to the purposes of preventing offences, or detecting them when committed.

That in general they merely consider their duty to be to act in executing warrants, or serving summonses when required, on which occasions they are entitled to a small fee, but are not usually paid for any other trouble they may take, or for any expenses or loss of time they may incur.

That it is highly expedient to adopt some general system of preventive police throughout the country, and to have in each division of the county at *least one active and intelligent officer*, who should, under the direction of the magistrates, have the general superintendence of the constables throughout the division; and to whom, as well as to the constables, a fair and proper remuneration should be made out of the poor rates in each parish, or the county stock in general; by which means able and efficient men may be induced to undertake the duty, and qualify themselves for the proper discharge of it.

Wherefore your petitioners humbly pray that your Honourable House will be pleased to adopt such measures as to your wisdom shall seem fit for forming an efficient police throughout the country for the prevention of crime and detection of offenders, and for placing the same on such a footing as to afford protection to the lives and property of His Majesty's subjects; and your petitioners, as in duty bound, will ever pray.

CHARLES MORGAN,	WM. PHILLIPS,
JAMES COLES,	DIGBY MACKWORTH,
RICHARD A. ROBERTS, Clerk,	J. H. PRITCHARD,
GEORGE HALL,	THOMAS FOTHERGILL,
JAMES THOMAS,	SAMUEL HOMFRAY,
JOHN JENKINS,	OCTAVIUS MORGAN.

Communication from Magistrates, Farnham Division, Surrey.

With reference to that part of the Commissioners' letter relating to allowances to constables, the magistrates beg to express their opinion of the very inadequate means which they, by law, possess of remunerating constables for the arduous duties they have occasionally to perform. As magistrates, they have only the power to grant certificates for constables' expenses in attending examinations, and for those incurred after the committal of prisoners. If no commitment takes place they have no legal means of reimbursing them for any expenses they may have incurred; and this, in many instances, is found to discourage them in the discharge of their duty, and to increase the unwillingness of parties to take upon themselves this office.

Extract of a Letter from W. J. HOLLEST, *Esq., Clerk to the above Magistrates.*

SIR, *Farnham.*

With regard to my observation, under the head *Constable*, I would further observe, that the jury at that court (the leet), who are vulgarly called Tom-fool's men, in making their appointment of

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

persons as tithing-men, consider it more as matter of joke than with regard to efficiency; and, as there is but little remuneration for executing the office, the supineness of those in business is not to be wondered at. I know many here are of opinion we shall never see the duties of a constable efficiently performed unless there be some plan adopted of a police for every hundred, who, from being permanent and independent of local ties, will both know and perform their duties.

Communication from his Grace the Duke of Portland.

The circular letter expresses a wish that any improvement that may have occurred to any magistrate as desirable to be adopted, in respect of the search for, or apprehension of, offenders, shall be stated. I think it my duty to state, that the great increase in the number of offences which have been committed lately in this district has suggested to me the propriety of arming magistrates with greater powers to reward the exertions of constables for the detection and apprehension of offenders.

At present that power appears to be limited to those cases in which a constable is successful in apprehending a party, and that party is committed to prison. The consequence of this limitation is, that few constables will expose themselves to incur trouble and expense, when the probability of their remuneration is not very certain; and it follows from this that the chances of impunity are much increased. SCOTT PORTLAND.

I entirely concur with the sentiments expressed by the Duke of Portland on the above subject.
GEORGE MASON.

Answer to a Communication made by the Commissioners on the Receipt of a former Letter.

Welbeck.

I think there is no reason to doubt that many of the ordinary constables would make greater exertions for the apprehension of offenders than they now do, if their prospects of remuneration were better and more certain. But, without the interference of the Legislature, I conceive that no provision can be made for that purpose.

It has been suggested that the high constables should be rendered effective officers of police, and that all other constables should be placed under their superintendence and command. But, unless they or some other officers of police had at their disposal some more effective, numerous, and moveable a force than can be formed out of the ordinary constables, I have no idea that it would be possible for them to do much towards the repression of crime.

I am sorry to say that there is a great indisposition among the lower orders of rate-payers to incur any expense for the maintenance of a police. In two instances in this county, where it has been attempted to be established, the attempt has been defeated by their opposition.

It may be easily shown that they are the class of persons who would be most benefited by the security which would be given to their property. Still, if they prefer the risks to which it is now exposed to the expense of its protection, I do not know that the Legislature would or ought to interfere for their security against their will. SCOTT PORTLAND.

Communication from Lord KING.

Ockham Park.

The question of county rates having lately much excited the attention of the magistrates of this county, a committee from among them was appointed at the quarter sessions about a year ago. That committee have not yet brought their labours to a close; but among some of their principal suggestions, and which have been adopted by the court of quarter sessions, were the having four quarterly fixed days of audit annually for the treasurer's accounts by an open committee, previous to the allowing of them at the quarter sessions, in lieu of *one* day only, which was formerly the case: the requiring each magistrate, in cases where he might act singly, and the clerk of every bench, to make a return to such quarter sessions of the *fines* imposed by him or them, and what proportion of them was paid. A more rigorous investigation was likewise established into the gaol accounts, the earnings of the prisoners in the houses of correction, and the disbursements of the gaolers to turnkeys, &c.

The increased (and still increasing) expense of prosecutions is a matter which presses forcibly on the attention of every one: it is to be feared that much of the money so paid does not reach those who are reputed to receive it. Three, four, or five witnesses are in attendance, possibly three, certainly two days, one before the court, and one before the grand jury, in a criminal trial at quarter sessions or assizes; as soon as they have given their evidence they are anxious to depart; the constables remain behind to receive from the treasurer, *after the business of the day is done*, their respective mileage, expenses, &c. He has a great temptation not to account for his receipt strictly to them, and I have no doubt that he frequently yields to it. Much of this malversation is a necessary concomitant of the system of allowing witnesses their expenses; it might, I should think, be somewhat diminished were offences of a light description, and particularly those committed by youths, tried at petty sessions, either with or without the assistance of a *small jury*, whose majority should be conclusive as to the fact imputed: this would probably take off a large burden from the quarter sessions; the officers of the court would have more time also to investigate the course of the moneys paid by them to those who appeared to claim them; and, as the business would be sooner ended, more leisure would be afforded to the witnesses and prosecutors to remain and receive them.

Another circumstance greatly tends to the encouragement, at present, of offences of a light description, both against property and person—the want of a rural police. In the country generally a steady man might be got under £40 a-year, who, being continually on the watch, would deter many from offending, and when there was a necessity for his services, in searching for a supposed offender, would prove an efficient and active servant, which it is notorious that the present rural constabulary is the reverse of being.

The apparent expense of a parochially-paid constable would probably, in the course of a few seasons, be found a real saving. KING.

Extract of a Letter from the Earl of Dartmouth.

As to the apprehension of prisoners, it has been usual, in cases where the constable is not a witness, to enter a reasonable charge for his time. It seems very desirable that the fees to be paid to constables for the execution of their various duties should be regulated by statute or otherwise.

Extract of a Letter from Granville H. Vernon, *Esq., M.P.*

There has occurred a difficulty, in respect to the *search* after offenders, whether the statute impliedly authorizes the committing magistrate to include in his certificate any expense on that score. We conceive that it does not; but the hardship resulting from this would be considerable, where a constable has pursued a criminal far and long, and has been at much pains and expense in collecting the witnesses who may substantiate the charge; and it has been doubtful how far allowance for such labour, &c, may be made under cover of the expressions in the statute, giving compensation for loss of time, &c., in bringing the party before the committing magistrate. There is on the other hand much risk of indefinite jobbing under this head of search, if the constable's exertions are to be left to his own discretion.

Extract of a Letter from the Right Honourable Sir G. H. Rose.

Sandhills, Christchurch, Hants.

I venture to offer no suggestions as to expenditure for search and apprehension of offenders, under the deepest conviction that no useful improvement can be introduced into the present miserable system of attempting to exercise police through parish constables annually elected. Nearly forty years' exercise of the magistracy has convinced me that the continuation of this system operates with immense power in the increase of crime, which, I am perfectly sure, could, in the country at least, be materially checked by a police duly paid and organized. I can state facts in my own practice bearing out these assertions; and yet in the whole of the Ringwood division I do not believe that more than three such men would be required. All *penalties* whatever now dribbled away to poor rates, roads, &c., might be applied to the expense of police.

Extract of a Letter from the same.

I now offer to the Commissioners the conclusions to which I have come, after acting about forty years as a magistrate, with opportunities afforded by long and frequent residences in other countries, from early youth, of comparing our institutions with those of others; and it is precisely in the means of apprehending offenders, the main features of the police, that we are, I should say ludicrously, if it were not lamentably, deficient. Systems of police are rapidly and happily starting up in the large towns, in imitation of London, but in the country there is no other known and legal mean but that of the parish constable or tithing-man; and yet in that institution, whatever it may have been formerly in very different times, there is not one principle of vitality or exertion. In order that a man may be able and disposed to execute duties, he must first know what they are; he must be instructed; he must be bound to his office or his profession; he must have motives of ambition to rise, and motives of interest too; he must dread shame on failure; he must have learnt to overlook the dangers to which his trade or calling necessarily exposes him, and the hardships it may draw down upon him; he must have a feeling of interest and duty in it; it must be his interest and anxiety to obtain the approbation of his superiors; and he must have begun his trade or profession young, whilst the mind receives easily and retains new impressions, and takes its bent for life: and now what *is* the village or town constable or tithing-man? A man usually of soft habits, wholly uninured to hardships and danger, who in the middle of life is forced for one year into a trade which brings him in loss and not gain, and ill health, and which ought to be one of danger and hardship, requiring sagacity, diligence, personal sacrifices, some knowledge of law (of which he is wholly destitute), vigilance, and nights passed perhaps in storms under hedges, or on a heath. The man may be brave, but he pleads his wife and children as excuses, indeed as motives, for keeping out of harm's way; he has no credit to gain in a trade forced on him, and for a year only, and which he abhors; and he dreads no shame for doing nothing effectual in it: and thus, whilst there has been everything to increase crime in Great Britain, from increase of luxury, fluctuation of employment in manufacturing districts, increase of wealth, and incredibly increased facilities of motion and communication, we, by continuing to oppose Alfred's tithing-men to offence in its incalculably augmented power and means, have granted to it against us incalculable advantages, and marvellously favoured its progress, whilst with common sense we should have been devising means to counteract the common enemy, in some degree proportionate at least to his. I have, therefore, never doubted that our constabulary system has greatly promoted the increase of crime, which has assumed features and combinations unknown twenty-five years ago. I remember that about thirty years ago the clerk to the magistrates here did not know, through positive disuse, how to fill up a "mittimus" for larceny; and we are now surrounded and harassed by felons, who have numerous hiding-places, receivers, and communications at a distance, within and without the county, under the best organized system I have ever had to contend with. Now, our constable system is so absurd and unjust, that I really do not think it fair or equitable to blame or deride the unfortunate conscripts who are compelled to be tithing-men; if I did, I could compose a farce with the anecdotes to be collected of petty occurrences in the warfare with this conspiracy in this neighbourhood,—neglects of duty, forgetfulness, ignorance, blunders, cowardice without excuse, supineness, have thwarted and counteracted me at every instant, so that I have, as usual, given up the tithing-men wholly, and am employing, at my own expense, as special constables, bold and hardy men, with promises of reward if successful, as my only chance.

In 1812 eight French prisoners of war were found on this coast, and one was brought to me, who turned King's evidence, but who could tell but little, speaking no English, and knowing nothing of persons, names, or places, having travelled by night from wood to wood, aided by English smugglers, to escape from their place of detention or parole. I soon found that there was a vast conspiracy of

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inland, coast, and sea smugglers in operation at eight depôts of prisoners of war, in various counties, and that it was impossible to do anything with the tithing-men whatever. All that one of them did then was to let a felon escape from his hands in my house. I made special constables of sailors, soldiers, custom-house officers, &c.; aided by the Transport Board, I caught every man but one of the whole conspiracy in various counties, and him I drove out of England; great numbers of the offenders were transported, and the offence was no more repeated during the war, so effectual was the operation. Now I venture to affirm that, had I used the tithing-men, I should not have attained any one single object to be pursued.

During several years' residence in the New Forest, where, as I was the nearest magistrate to Lyndhurst, the deer-stealers were brought before me, when in the country, I had in one year twenty-seven cases, nearly all of depredation, brought before me at home, in each month of residence, on an average; by exertion and severity they were in the next year reduced to seventeen per month, and in the two following years to eleven per month, whilst crime increased in the county. Now this reduction of three-fifths nearly, from twenty-seven to eleven, was most materially owing to my having a man acting as deputy or pro-tithing-man for a series of years; he had had time to learn law enough to be emboldened and instructed, and he was well paid for business done for the Crown; he had had time to learn thoroughly the country, the exercisers of crime in it, their habits and connexions of every sort; the gamekeepers assisted him in executing the warrants, and the offenders, knowing the man they had to contend with, dreamed not of resistance. I had, therefore, a hundred-fold rather encounter the worst offences, in that somewhat wild district, with such assistance, than the smallest offences in this agricultural country.

Another mischief in our present system is its utter disconnectedness. There is no rule for, or principle of, communication between any two tithing-men, or indeed between magistrates, either in the same or in different counties. A system of aid and intelligence should be created, or it will be impossible to meet the thieves, who have organized themselves completely everywhere. For instance, a man has a horse stolen here, and has reason to think that it is carried off by a gang interchanging stolen horses between Hampshire and Leicestershire. How is he to profit of the advantage which may be derived from the post, by sending a description of the horse, and possibly of the thief, to Leicestershire, that it may be there before the horse, and cause its being recovered, and the thief brought to justice? There is no one—he can write to no one—whose duty and business it is, in Leicestershire, to attend to such communications, and to act on them. There might be an officer in each county town for the purpose, besides other police duties of which he might be the executive head, of receiving all post-paid letters addressed to him on police matters, and of taking the necessary steps in consequence. Thus, if a man losing his horse near Blandford, Dorset, had reason to suppose that it was carried into South Kent, and wrote to apprize the chief constable (or whatever shall be the designation of that officer) at Canterbury, that officer should instantly circulate, through the police, or peace-officers, along the Kentish coast, the particulars necessary for recovering the horse and catching the thief.

Another impediment to justice is, that it is the practice to issue but one warrant against an offender; and if the tithing-man holding it misses the man, and does not apprehend him, excusably or not, not one other person dares to meddle with him. This is in a great degree remedied by issuing several warrants of the same date, contents, and purport, taking care to withdraw all the others as soon as one is executed. But, as I am now experiencing, even this suffices not. Thieves whom I am in pursuit of are lurking in the woods and wild districts in the neighbourhood, and two of them have been met more than once within these few days, and they who met them, having no warrants, were afraid to seize them, though hostile to them and not fearing them, for they are known cowards. It may be worth while to consider whether, under certain circumstances, every man should not be authorized to apprehend, and deliver over to a constable or a magistrate, persons against whom warrants are out for felonies and capital offences, as every man can apprehend a vagrant found offending (5 Geo. IV. c. 83, s. 6), and offenders found in the act can be apprehended by persons not constables (under 7 and 8 Geo. IV. c. 29, s. 63). A general right to apprehend such offenders might be given by notices affixed on church-doors, under the hands of magistrates, certifying that due pursuit had been made in vain by warrants during a certain space of time—say a fortnight or three weeks. This would act in strong encouragement to the good, and discouragement to the bad.

But the main and essential remedy is the institution of a general rural police, on the principles of that of London. You have every motive for useful exertion; a regular organization gives you discipline; the men enter young, learn what law is necessary, extend their knowledge of all sorts yearly, are well paid and encouraged, are watched over by superiors, and rise in rank and emoluments in proportion as they deserve it, and are punished or dismissed if they behave ill. You will have an uniform and connected system in each county; and you will have every motive for exertion, honesty, and sobriety, that interest and ambition, habit, hope, and fear, can furnish. Men so animated will not be sparing of their persons, and they will soon feel their ascendancy over the robbers. Forming one body in each county, they will easily fall into that system of communication which will be prescribed to them. No great number of them will be wanted; I should think that from two to five in each division of a county (large towns excepted) would suffice. I think, for instance, that in the division of Ringwood, Hants, where I act, one at Christchurch, one at Ringwood, at about nine miles north, and one more at Fordingbridge, about nine miles further north, would suffice. It might be useful to have the one in the centre of each division mounted on a galloway. Much money levied yearly in penalties might be applied by one Act to the expense of such police; sums now paid, with no benefit felt, to road trusts, overseers of the poor, and on convictions of various sorts, and expenses allowed for constables, as rewards for time and trouble in apprehending offenders committed for trial, might be so applied. Such policeman might be authorized, where he has two or more to apprehend together, to pay for extraordinary help, which would be cheaper than keeping a large establishment of such men. But he would do great good in preventing crime by living in the alehouses and beer-houses, and learning all the haunts and habits and connexions of the disorderly, so as to prevent combinations amongst them, and the organization of gangs, receiving-houses, and distant alliances; and he would form connexions in the towns and villages, enabling him to know what is going on amongst the ill-disposed.

There can be no objection to paying such police in the same manner as in London and elsewhere. The cost of protection is there thrown equally on the community; now the cost of *non*-protection, a much heavier one, is thrown very unequally on it. In this district, for instance, a few years ago, there was a roving band of housebreakers; the property plundered, and the expense of watching, (to say nothing of loss of time, care, and anxiety,) were a very heavy and a very partial tax on the community,

and such an one is now inflicted on it by the present robbers here, who carry off corn, pigs, sheep, potatoes, iron, lead, &c., generally without housebreaking. The police establishment will operate as a general insurance at a moderate expense, equally scattered over the population benefited.

Care must be taken that the system be as that in London, for discipline, gradation of ranks, promotion, and increase of pay for the deserving, and punishment for the idle, timid, and corrupt.

Under an efficient police very much less expense will be incurred in subscriptions to associations for prosecuting felons.

I have made these observations as short as I could, consistently with clearness, but they are longer than I wished; but I was unwilling not to act on the wish the Commissioners were pleased to express, and I offer them with anxious hopes for the success of their labours.

Extract of a Letter from JOHN PAYNTER, *Esq., Boskenna, near Penzance.*

I perceive that the subject of *Parochial Police* has engaged your attention. It is indeed one of no small importance, though hitherto almost wholly passed over by the Government. I humbly suggest, however, that police should be regarded but as *part* of a general system of parochial administration. Whatever may be said by some persons against unions under the new Poor Law, every one must admit that the boards of guardians form inestimable nuclei for an improved system of parochial administration generally. Taking it for granted that parishes formed into unions will eventually contribute by their *proportions* to the *whole* expenses of the poor of the respective union, and thus will do away with the necessity for removals, there seems to be no valid reason why the principle should not be further acted upon, and why the parishes should not contribute by *proportions* also to the charges for highways, and to those for constables. Thus there might be a superintending overseer of the poor, a superintending surveyor of highways, and a *chef de police*, or high constable, each for the whole union. A deputy (one or more) in each department would be appointed for every parish separately. Money, for whatever purpose, should be *voted by the board of guardians*, not raised by the different officers, as at present. One *collector* of all public levies (including King's taxes) might, apparently, suffice for each parish. All the above-named officers should receive salaries. No unpaid functionaries should be allowed to serve, even if willing. They would almost always be inefficient, and be a hindrance only to the paid men. Thus a uniform system of parochial administration, under the general management and superintendence of an intelligent body of individuals, the guardians, would be established for the whole country. With regard to police more immediately, the advantages are self-evident. A combined system of operations, an efficient body of policemen (all able to read and write, of course), the *same men* continued in office during good conduct, and increasing every year in efficiency, would be substituted for the present absence of all system, and for a set of persons who are in office one year only, and that unwillingly, and a large proportion of whom cannot even read a summons or other paper, much less copy one in case of need. Proceedings before magistrates are continually delayed, or set aside, owing to the inability of constables to read and write. A good system of rural police would prevent many of those disorders which occur, and would greatly check more serious offences—incendiarism especially. Ten pounds per parish annually would, taking the *average* of the kingdom, amply suffice for the maintenance of an excellent rural police. In small parishes £5 are sufficient. On the present unpaid system of parish officers great *oppression*, as well as inefficiency, prevails. A domineering party in the vestry names men out of their turns to fill offices, screening themselves and their creatures. The magistrates can afford little redress in a matter obscure in itself, and carefully rendered more so; and, even should they decide that the individual appellant is not to be appointed for the present, he is forthwith marked for double punishment by the vestry party; so that in general he quietly submits to the hardship as the least of two evils. A system more unjust, more inefficient, and, at the same time, more extravagant, than that under which parochial affairs in England have been hitherto generally administered, could, in short, hardly be devised. No effectual, and therefore economical, service can be obtained in any department without adequate remuneration. Since the Government persevered, in spite of the most insane and violent clamour, in establishing a good system of police for the metropolis, I indulge a hope that they will not do less for the country. I submit that, in contributing to any parochial charge by *proportions*, the period of *ten* years should be taken. In mining parishes, and others similarly situated, the fluctuations are not felt within a shorter time. The new Poor Law directs the average of *three* years to be taken. I beg leave to give the following instance of the present constable system. Some men rushed through a turnpike-gate (where a toll for foot passengers was payable) without payment, knocking down the gate-keeper, &c. The gate was in the parish of A., close to the confines. The keeper called on the nearest constable, who lived very near the gate in a village of the parish B. No constable or other inhabitant of A. resided within a great distance. The constable applied to pursued the men, and took them in the parish of C. He incurred altogether a good deal of expense. The men were wanderers, without money or effects. It does not appear, although the man acted under the verbal directions of a magistrate (not myself), that he can recover the money expended from either of these three parishes.

Extract of a Letter from CAPEL HANBURY LEIGH, *Esq.*

Pontypool Park.

I should take leave to observe that in respect of search and apprehension very little encouragement is given, particularly where there is no association, which is the case in this district. There was formerly an association, but it has been discontinued. A regular police officer *has* for some years been appointed for this district, with a fixed salary, which has essentially contributed to the peace of this populous neighbourhood.

Extract of a Letter from RANDLE WILBRAHAM, Jun., *Esq., Rodeheath, Cheshire.*

I should suggest that there ought to be in some quarter a control over the bills presented for prosecutions at the assizes, the judge never interfering, for want of which the scale of allowances is apt to

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be neglected. In the year 1827 or 1828 an Act of Parliament was procured by the magistrates of this county, called the Cheshire Constabulary Act, by which the magistrates at sessions are empowered, on the recommendation of three magistrates in petty sessions, to appoint special high constables and assistant petty constables, the former for each hundred or division, the latter for one or more adjoining townships, who, on their appointment, are sworn in for the whole county of Chester. The magistrates of the north-west hundred have some years ago recommended the adoption of the provisions of the Act, by having had appointed assistant petty constables throughout the hundred; that is, five assistant petty constables, two of whom act also in other hundreds. Their salaries are fixed at £60, £55, and £50, and all paid by a contribution of about one halfpenny in the pound on the county valuation from the different townships. These constables, of course, have no extra allowance while acting within their own districts, which consist of from 10 to 18 townships each. The system, which was not liked by the rate-payers at first on account of the expense, has now worked itself into favour, and has been found most efficient in lessening the number of depredations, and in promoting security and good order.

Extract of a Letter from J. Poore, *D.D., Murston, Kent.*

If the report is true that Government means to pay the whole of prosecutors' expenses at the assizes and quarter sessions, some strong check should be devised to prevent unreasonable allowances to prosecutors and witnesses previous to commitment of prisoners. I have frequently mentioned the subject, but without success; perhaps limiting the allowance to a certain amount, except in cases of murder, arson, and housebreaking, attended with violence to the person, would obviate the evil alluded to, reserving a power to the committing justice to recommend under extraordinary circumstances an increased allowance. The only objection I know of to this plan is that a *maximum* too frequently becomes, where the public is concerned, a *minimum*.

Some alteration is necessary respecting our rural police, both as to their efficiency and mode of payment. At present it is very unsatisfactory. At the time of the riots in 1831 I had organized a body of 500 in this immediate neighbourhood, to act when required in aid of the civil power.

Extract of a Letter from W. Day, *Esq., Maresfield, Sussex.*

I am not precisely aware of the range of inquiry embraced by the Commissioners; but, if it should be within their scope, I wish to call their attention to the (apparently) very uncertain state of the law as to the extent to which constables have a legal right to demand fees, and as to their power of recovering them when withheld.

Whether or no the office of constable, whether existing at common law, or first established by the statute of Winton, was not instituted as a burdensome office, whose duties, like those of other parochial officers, were to be borne without fee or reward, may perhaps admit of a fair question; but at all events there seems to be no statutable provision which gives them a *general* power to demand compensation.

The statute 13 and 14 Ch. II. c. 12—17, expressly recites, that "constables have no power by law to make rates to reimburse themselves;" and consequently, if they have no common-law right, it would seem to follow that they have no claim, except in those cases that are specifically pointed out by statute. The practice, however, is to demand fees upon all occasions, and I am not aware that it has ever been contested before a tribunal competent to decide upon its legality.

Be the right what it may, if it do exist, it would at all events be highly inconvenient to public justice that the right to demand fees should be a condition precedent to the execution of the duties imposed upon the constable. On the other hand, in a variety of instances, he seems to have no *convenient* means of *subsequently* recovering them, if indeed he have any at all.

The principal statutes that relate to his reimbursement are the 3 James I. (subsequently altered by 27 Geo. II.), and 18 Geo. III. c. 19. The first of these gives a power only where the offender is unable to pay the expenses of conveying to gaol himself; and, in the event only of his inability, it substitutes the liability of the county rate. That part of the statute which attaches the goods of the offender is, I believe, practically obsolete; at least I have never known a case in which it has been acted upon. But at all events the county is liable only to the same extent to which the offender himself is liable, and that, as it appears to me, is only to costs out of pocket, and not to any repayment *for loss of time*, or to a certain fixed charge per mile, whether expended or not. If I am right in this construction of the statute, two sources of reduction in the county expenditure present themselves; the first, the compelling the observance of that part of the statute that relates to charging the offender; and, in the second, the limiting the charges on the county to the expenses actually incurred. Where courts of sessions have fixed a *maximum* charge in these respects, constables have very frequently considered that *that* amounted to a sanction of such a charge, and have presented and received it whether they have expended it or not. In a similar manner they are constantly employing assistants, whether necessary or not, charging them at the full rate of the county allowance, and, I have no doubt, frequently paying them only as common day labourers. On the other hand it is to be borne in mind that this statute applies only to the reimbursing the constable for the expenses of conveying to gaol, and leaves all the expenses prior to commitment (or at any rate prior to apprehension) totally unprovided for. I am aware there is a great difficulty in this part of the case. To pay a constable for every unsuccessful attempt that he might make, or might say he made, would be to multiply inducements to fraud and negligence; on the other hand, to pay him nothing is to ensure his activity only when he is certain of his capture.

The question also of attaching the goods of the offender is open to difficulty. It is true the statute says "if able;" but that is a phrase of very indefinite import. In all those cases where the party is so near pauperism that a distress warrant would have the effect of throwing his family on the parish the expediency of such a course may be doubted, as tending to throw a still greater burden on the public in one form than they will escape in another, as may also its justice in superadding a very severe punishment to that which the law has appointed as in itself a sufficient atonement, to say nothing also of the case in which a party is committed for trial for an offence of which he is afterwards proved innocent.

In fact, it may admit of a question whether the statute 3 James I. applies to commitment for trial, or merely to commitments in execution. The preamble says, "conveying felons and other malefactors unto the gaol, *punishable by imprisonment there*," which seems rather to imply that the statute was enacted to meet cases of summary conviction only. The practice, however, has been different, and all classes of cases have been admitted under it, even to cases which seemed rather of a private than a public nature, as injuries to property under the Trespass Acts, and convictions under the Game Laws. I mention this that in the event of any new Act, showing what charges can legally be made on the county rate, all ambiguity may be got rid of.

The "charges of conveying to gaol" is also an expression of doubtful extent. In its strictest sense it would seem to be limited to those expenses only which are incurred subsequently to the signing of the *mittimus*; but at our quarter sessions we have given it a more extended, and I think more reasonable interpretation, by construing it to mean all expenses subsequent to the apprehension under the magistrate's warrant. A constable frequently has to detain a prisoner a considerable time before a magistrate can be found; and it once happened to me, in a case of some intricacy, that I was obliged to order the detention of some prisoners three days before I could finally commit. It appears to me, therefore, in all cases where a constable acts under a warrant, whether written or verbal, of a magistrate, the expenses he may be at should in fairness be repaid.

This brings me to another point of law where there seems to be an omission. The statutes of James and Geo. II. apply only to commitments by "*justices*." They give no power to *coroners*. A case of hardship in consequence has recently arisen in this division. A woman is suspected of having murdered her bastard child. The coroner's jury return a verdict of wilful murder. The woman, being only just delivered, is obliged to remain in custody of the constable several days before she can be removed to gaol, and still the coroner has no power of awarding the expenses.

The difficulty is attempted to be got over by reference to the 18 Geo. III., which I next proceed to consider. The object of that statute is to indemnify constables "in doing the business of their parish," and enacts that they are to deliver an account of all sums *so* expended by them on account of the said parish in all cases not hitherto provided for. I have heard it contended for by an eminent counsel that the business of his parish must mean all that business that is cast upon him as the officer of his parish; in fact, that it is identical with the business of *his office*. Of course, if this interpretation be admitted, the constable has at once a fund from which he can claim reimbursement in every instance not otherwise specifically provided for. I confess I am unable to extend the meaning so widely, and to me it appears confined merely to what may properly be termed parochial business, or business on account of the parish in its parochial character; and this is the meaning which the Court of King's Bench seem to have contemplated when they decided that the expenses to be allowed were those incurred *on behalf of* his parish. *Rex* v. *Bird*, 2. *B. and A.*, 522.

The points therefore that appear to me to arise out of the consideration of these statutes are—

1st. Whether the office of constable is a burdensome office, to be executed without fee or reward?

2nd. If any expense can be claimed, whether that extends to *personal* charges, or merely to expenses out of pocket?

3rd. What part of such are recoverable from the county rate, what part from the parish, and what from any other source, or are not recoverable at all?

4th. As to such parts as are not recoverable from any public fund, whether in any case they attach to any private individuals, and, if so, by what process recoverable?

However these points may be determined, there is one principle that appears to me to be clear, that whatever part is chargeable upon the public should be charged upon one and not upon many public funds. It should not be charged in part upon the poor, and in part upon the county rate. The effect of this division is that the gross amount escapes observation, and, while the pressure is felt, the source from which it arises is unperceived. The evil consequently remains unmitigated; and, indeed, whilst this system is pursued, I might almost say unmitigable. I think it may be a question whether all these charges should not be levied in the first instance on the county rate, in order to ensure supervision and uniformity, even though certain items of a mere private or parochial nature should subsequently be charged back again to the respective parishes. The account would be very simple; it would be analogous to that of guardians of unions under the Poor Law Amendment Act, who frame an account of the monies received from the several parishes, showing how much has been expended upon their individual accounts, and how much for the general establishment of the union. It is to be hoped, too, that similar success to what has attended that Act might be realized by transferring the management to a superior body of administrators. In this (the Uckfield) union the saving effected by vesting the management in a board of guardians, instead of parochial vestries, will amount to 60 per cent.; and I have little doubt that constables' bills, by a similar management, might be equally controlled and reduced. At present these bills are practically limited only by the conscience of the officer. They are hardly ever objected to by the vestry, and even then the magistrates have no *rule of law* by which they can decide them.

There is one other point, before I conclude, where an illegal practice has crept in. It is customary in those parts where juries are summoned on inquests for the constable to pay each juryman a shilling. These are, of course, charged in the constable's bill.

Many of the points adverted to in this letter may appear rather to appertain to local than to county burdens. They all, however, form part of the pressure upon local interests, and as such, I conceive, form part of the subject-matter of the Commissioners' Inquiry.

Extract of a Letter, with numerous Enclosures, from the same.

Maresfield.

I enclose herewith copies of all the constables' bills that I have been able to procure in our division. I regret that I am unable to send them in a more perfect form, but I find that this branch of parish accounts has been very imperfectly attended to, and that, in most instances, the overseers have no detailed vouchers to produce. The constables, in several instances, I understand, have brought in their accounts in gross, and have stated that, if any rate-payer wished to inspect the items, they might be seen at their houses. I have, however, been able to procure copies of three—viz., two marked F 1, and one marked F 6, which may serve as a general specimen of them.

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The high constable acts as peace-officer only in his immediate parish; and the duties of petty constable are executed in the other parishes of his hundred by the headboroughs. Besides, therefore, the high constable's bills, there are frequently charges by the headboroughs, though not often to a large amount; as in cases of bastardy, which have been the most common source of these expenses, the warrants have generally been directed to the parish officers themselves. These latter officers have, however, always charged their time and expenses the same as the constables, and, consequently, there has been no saving to the rates. In the bills I send you some of the items are clearly illegal. By the Licensing Act, 9 Geo. IV. cap. 61, sec. 15, the constable's fees for serving notices of the licensing day are limited to 1*s.*, to be paid by the publican; these fees, our clerk tells me, he has always paid over at the time to the constables, who have, nevertheless, made a practice of charging *the parish* 7*s.* 6*d.* for every service. In the bill marked F 6 the several charges for attendance, &c., in the cases of Falconer, Wheatley, and Miller, were for business done on behalf of individuals, and in which the parish, as such, was in no way interested. Falconer's case was for firing some cocks of litter; Wheatley's was for an assault on the highway, probably with an intent to rob; and Miller's was for beating his wife.

I am at a loss, also, to understand how Court-Leet charges can be defrayed out of the poor rate. I should have supposed that the charge, if any, was incident to the tenure of the manor, and fell upon the lord. I take it for granted that as the poor rate is an enactment long within legal memory, no prescription can be pleaded against it, and that it is incumbent upon every person attempting to charge it to produce a *statutory* claim to authorize his so doing. Now all the 18 Geo. III. does is to recite that "constables may be at great *charge*," and, therefore, that they are to produce an account of *sums* EXPENDED, which are to be repaid. This statute, therefore, appears to me to reach only to *expenses* actually incurred, and not to repayment for trouble or loss of time. I should not have thought it necessary again to revert to this part of the subject, had not the general practice, and, I believe, opinion, been different.

There is an evil upon this part of the subject that I beg to suggest to the attention of the Commissioners. In the bills E 1 and E 3 are three charges upon the parishes for conveying to gaol. There is no security, that I am aware of, that the constables may not also have received the county allowance for the same business, and thus have charged their expenses twice over. A fraud that may be so easily perpetrated in country parishes, particularly if remote from the place of holding the sitting, certainly requires guarding against.

Until these two or three years past it has been customary for the clerk of petty sessions to charge a fee for making out the constables' bills upon the county for the allowance for conveying to gaol. In accordance with the 27 Geo. II. cap. 3, the quarter sessions have refused any longer to allow it. The constables, however, are unable to make out their own bills; and the clerks complain of having to provide *gratis* printed forms, or else to be at the trouble of writing them out.

There is a point connected with the duties of constable that, if not in itself obscure, is at any rate imperfectly understood; and that is the repair of hundred bridges. The difficulty arises from the circumstance that it does not appear that the constable has any power of raising a rate upon the hundred until he has expended the sum necessary for the repairs. As far as I understand the practice, it appears that the constable must first present the bridge (unless it is otherwise indicted); he must then perform the necessary repairs, and, when these are done, he is to present his bill at the sessions, and thereupon obtain an order for a rate to that extent. If I am right that this is the proper method of proceeding (and I cannot obtain any very certain information on the subject), it is a practice that appears to me to be highly inconvenient. The expenses attending a presentment are frequently not inconsiderable; and it is evident, also, that the repairs may be ordered by the constable, but not completed before his year of office expires, in which case it does not appear clear how he is to secure his reimbursement. Besides this, it is a question whether the constable is generally a person capable of judging as to the extent to which such repairs ought to be carried; and, if he be not, he must either place himself in the hands of the tradesman whom he may employ (probably a relation or friend), or must run the risk of doing the work very imperfectly. It may be worth considering whether the repair of all bridges of a certain size and character should not be under the control of the county surveyor and the quarter sessions, even though the same parties that are now legally liable to their repairs should still remain chargeable. Instead, also, of raising a hundred rate, the expenses should be charged *pro rata* on the surveyors of the parishes forming the hundred.

In fact, if, for the present inefficient and too frequently corrupt management of these local funds, the administration of them could be vested in a respectable body upon an extended scale, instead of in almost irresponsible individuals in petty localities, the advantage that might be expected I am satisfied is great. Persons of intelligence and education will not give up their time to the superintendence of minute expenditure, but will not grudge to do so when the result is worthy of the sacrifice. My own opinion is, that the greatest advantages would arise from placing these matters *imperatively* under a similar management to that of the present poor laws; but to suppose that it will be done voluntarily, as pointed out by the last Highway Act (at any rate to any extent), is to practise upon ourselves a great deception.

If proof of this were wanting it is amply to be found in the operation of the Select Vestry Act. Out of the 14,000 parishes of England, 2,725 only had adopted it in 1830; and, of those that were in existence in these parts, all, I believe, have been abandoned as soon as ever they were found to interfere with the malversation of parties, who soon found means to bring odium upon them, and procure their dissolution.

ENCLOSURES.

A 1.

The constables' bills in the parish of Framfield are deposited in the parish chest in the church; Mr. Hoare being out from home, I cannot get them till Friday. I have sent one which was in the possession of the overseers. (F 1.)

In Waldron they have to pay constable's charges once in three years, which amount to from 20*s.* to 30*s.*, for the time he is chosen in Waldron, but have no bills.

In East Hothly they have a constable chosen to act once in six years, whom they pay about 40*s.*;

they have no bills to show: if you wish any further information I shall endeavour to procure it immediately. I think the constable's charges in Framfield are generally from 40*s.* to 50*s.* a-year.

J. Waller.

A 2.

We have no constables' charges only once in five or six years; the last was £3 7*s.* 7*d.* in 1831. The county rates are from £30 to £33 per annum.

East Hothly, December 30th, 1835. Henry Rich.

B. *Fletching, 29th December*, 1835.

The following is the most correct statement I am able to collect from the overseers' accounts of bills paid, and, by what I can learn, they have never been furnished with detailed statements of the constables' expenses; therefore I have sent the account as it stands in the parish ledger, viz.:—

	£.	*s.*	*d.*
For the year 1831	1	15	6½
,, 1832	2	6	9
,, 1833	2	16	0
,, 1834	2	8	2
,, 1835	4	15	11

H. Martin.

C. *Rotherfield, December 29th*, 1835.

In answer to your question respecting the county rate and constables' bills, by information of the overseers and constable it is as follows, and quite correct:—

	£.	*s.*	*d.*
County rate, January, 1831 . . .	102	6	4
,, 1832 . . .	74	3	9
,, 1833 . . .	98	18	4
,, 1834 . . .	87	9	3½
,, 1835 . . .	105	1	11¾

Constables' bills, March, 1831 . . .	8	15	5
,, 1832 . . .	11	3	5
,, 1833 . . .	9	9	10
,, 1834 . . .	10	2	0
,, 1835 . . .	7	1	8

I am, Sir, your obedient servant,

G. French, Relieving Officer.

D. *Mayfield, December 28th*, 1834.

The Amount of Constables' Bills.

	£.	*s.*	*d.*
Amount of bill for 1830 . . .	8	18	11
,, 1831 . . .	8	16	3
,, 1832 . . .	12	12	5
,, 1833 . . .	9	4	3
,, 1834 . . .	5	17	5
,, 1835 . . . } The bills for this year will be about }	4	6	0

P.S. I cannot get the bills; the above is the amount for six years. There were so many journeys in the first four years for non-performance of orders of filiation, and the money got rarely covered the expenses; that made the first four years so heavy.

James Fenner.

E 1. Parish of Isfield.

		£.	*s.*	*d.*
1830	Mr. Wm. Kinward, constable, bill settled for 1830; January 15th, 1831	1	5	0
1831	Constable's fee for taking Henry Kinward to Uckfield sitting . . .	0	6	0
	Nov. 15th. Mr. Fisher, constable, for apprehending William Carr; then taking him to Lewes prison	1	0	6
	Dec. 30th. Constable Mr. Ewen's bill	1	7	8
1832	No entry.			
1833,	Sept. 28th. Mr. Heaver, constable, for taking Joseph King from Barkham to Uckfield sitting, then to Lewes prison; constable's fee only in this amount	0	7	0
	High constable's bill—no entry.			
1834	(No date) Constable Mr. Samuel Guy's bill	1	5	0
1835	Mr. Holland, constable, bill not paid	1	6	2

As given out of the ledger to me by Mr. Hallet, the overseer.

E 2. Parish of Uckfield.

		£.	*s.*	*d.*
1830,	Nov. 1st. Constable, portion of bill	1	15	3
1831	(No date) settled in March, 1831, constable's portion of bill . . .	1	19	6
1832	Entered in 1835, (no date,) constable's bill	2	6	8
	Entered in March, 1835, constable's bill	1	18	0
1832	A bill settled and entered in March, for Mr. Fisher's attendance as constable	9	4	9

As given out of the ledger by Mr. Peregoul, this morning, Dec. 31st, 1835.

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

E 3. PARISH OF LITTLE HORSTED.

Constables, in parts of book called Headborough.

		£.	s.	d.
1830, July 5th.	Headborough expenses	0	3	6
Dec. 18th.	Constables' bills	2	16	6
1831, June 4th.	Headborough, for taking a man to Lewes prison	0	18	0
28th.	For headborough expenses	0	5	0
October bills		0	15	6½
1832, April 23rd.	Headborough expenses	0	11	6
Oct. 4th.	Constables' bills	0	19	6
1833, June 21st.	Expenses of headborough	0	2	6
July 19th.	Expenses of headborough	0	15	6
Aug. 30th.	For apprehending Thomas Velwick	0	3	0
Sept. 27th.	Constable's bill	0	19	6
28th.	Headborough expenses	0	6	6
Oct. 9th.	Headborough bill	0	16	0
June 3rd.	Expense taking Mary Jeffery to sitting	0	3	0
1834, Aug. 4th.	Paid constable's bill	1	16	10½
Sept. 5th.	Attending Maresfield with Townsend	0	2	6
Nov. 7th.	Paid headborough expenses for having Townsend to Lewes prison	0	11	0
1835, February.	Paid headborough expenses for taking Pentecost to sitting	0	6	6

F. W. RIPLEY.

F 1.

To Expenses incurred in serving the office of Constable for the Half Hundred of Loxfield Dorsett, from June, 1830, to June, 1831, as under, &c.; William Ewen, Constable.

	£.	s.	d.
Attending four quarter sessions at Lewes	2	2	0
Paid fees of court, being sworn	0	2	0
Attending the assizes twice	1	1	0
Delivering precepts to four different parishes to make out jury lists	0	7	6
Delivering notices to magistrates for a special sessions to receive jury lists	0	7	6
Delivering notices to publicans to renew licences	0	7	6
Delivering notices to publicans for transferring licences	0	7	6
Delivering notices to magistrates for holding eight special sessions for transferring licences	0	7	6
Delivering notices to the four different parishes to make out a list of persons qualified to serve the office of surveyors	0	7	6
Delivering notices to magistrates for holding special sessions to appoint surveyors	0	7	6
Attending petty sessions to receive jury lists, and deliver the same to quarter sessions	0	7	6
Delivering notices to the four different parishes to pay in their several portions of county rates, and paying in the same to quarter sessions	0	7	6
Delivering militia papers to the four different parishes, and notices to overseers to distribute the same	0	7	6
Delivering to the four different parishes the population lists	0	7	6
Delivering to the four different parishes militia notices to attend a special session	0	7	6
Delivering notices to the overseers of the four different parishes to deliver their population lists	0	7	6
Delivering notices to persons to serve on the court leet	0	7	6
Delivering notices to overseers of the four different parishes to deliver in their overseers' accounts at special sessions, and to appoint fresh ones	0	7	6
Paid for parcels and letters	0	3	2
Amount of Thomas Fisher's bill for billeting soldiers for the year	1	0	0
	£10	0	8

	£.	s.	d.
Buxted	3	10	0
Framfield	3	10	0
Uckfield	1	19	6
Isfield	1	7	8
	£10	7	2

To Expenses incurred in serving the office of Constable for the Half Hundred of Loxfield Dorsett, from June, 1834, to 1835, by John Hollands, Constable.—(N.B. Both of these are High Constables' bills.)

		£.	s.	d.
	To attending quarter sessions four times	2	2	0
	Paid fees at ditto	0	2	0
July.	Delivering notices to magistrates, &c., of a special sessions for granting licences to deal in game	0	7	6
Aug.	Delivering notices to headboroughs and innkeepers of the hundred, to renew licences	0	15	0
	Delivering notices to parish officers to make out jury list	0	7	6
	Attending sitting to receive jury list, and delivering same to quarter sessions	0	7	6
	Journey to Lewes to deliver voters' list	0	10	6
Oct.	Delivering notices to the several headboroughs to affix notices on the church door of eight special sessions for granting licences	0	7	6
1835, Jan.	Delivering notices to the several parishes to pay county rates, and paying the same to the treasurer	0	10	0
Feb.	Delivering notices to overseers to make out list of new overseers	0	7	6
	Delivering notices to magistrates of special sessions to appoint overseers	0	7	6
Jan.	Summoning jury to attend on court leet	0	7	6
	Carried forward	£6	12	0

	£.	s.	d.
Brought forward	6	12	0
Allowance for billeting soldiers	1	0	0
Postage of letters and parcels	0	5	0
	£7	17	0

	£.	s.	d.
Buxted	2	18	4½
Framfield	2	0	2
Uckfield	1	12	3½
Isfield	1	6	2
	£7	17	0

Buxted parish—Dr. to John Hollands, for summoning a jury to hold an inquest on the body of Sarah Davis, and attending thereon 0 5 0

F 2. (Copy.)

Maresfield Parish,

To B. Heaver.

		£.	s.	d.
1834.	Summoning jury, inquest on the body of Henry Browne	0	5	0
	For conveying Burgess to give evidence	0	10	0
	Beer and brandy for the above witness	0	1	0
	Summoning jury, inquest on a child of William Best	0	5	0
		£1	1	0

F 3. (Copy.)

Maresfield Parish,

To J. Adams.

		£.	s.	d.
1834.	To coach-hire	1	0	0
	Expenses on journey	0	16	6
	Paid for backing warrant	0	1	0
	Paid for officer	0	12	6
		£2	10	0

(No name of prisoner given in the bill. *W. D.)*

Headborough Bill.

F 4. (Copy.)

Maresfield Parish,

To Thomas Fisher.

		£.	s.	d.
1834, Oct. 30th.	A journey to Fletching with assistant, and expenses, to apprehend Luke Wood for bastardy	0	4	0
31st.	A journey to Maresfield and Fletching for ditto	0	3	6
Dec. 12th.	A journey to Crowborough, and expenses, to apprehend Thomas Adams for bastardy	0	4	0
1835, Jan. 27th.	A journey to Wittesham, and apprehending Thomas Adams, and expenses	0	4	6
	For constable's order of payment for the same	0	2	0

F 5. Headborough Bill. 0 18 0

(Copy.)

Maresfield Parish,

To W. Osborne, Headborough.

		£.	s.	d.
1833, March 15th.	Serving a summons on Samuel Divale, and attending the sitting at Uckfield	0	2	0
19th.	Taking Samuel Divale with a warrant, with one assistant, and expenses for eating and drink the first night	0	5	0
	Paid one assistant for one night and day	0	2	6
	Paid the prisoner for three nights and days	0	4	6
	Myself three nights and days, at 3*s.* 4*d.*	1	0	0
		£1	14	0
	Settled April 10th, 1833	£1	12	0

(Signed) William Osborn.

No reason assigned for the difference of these two amounts.

F 6. (Copy.)

The parishes of Fletching, Little Horsted, and Maresfield,

To Benjamin Heaver, High Constable.

		£.	s.	d.
1834 and 1835: viz., from June to June.				
	Attending quarter sessions	0	10	6
	Paid fees at quarter sessions	0	2	0
	Parcel notices	0	1	0
	Delivering notices jury list, Little Horsted, Maresfield, Fletching	0	7	6
	Parcel	0	0	6
	Delivering notices to magistrates of a special session for granting licences to deal in game	0	7	6
	Two parcels from Lewes, of licence day	0	1	6
	Carried forward	£1	10	6

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

	£.	s.	d.
Brought forward	1	10	6
Attending sitting, and delivering notices to headboroughs and inn-keepers to renew licences	0	10	0
Delivering notices to parish officers to make out jury lists	0	7	6
Attending sitting to receive jury lists, and delivering to quarter sessions	0	7	6
Parcel notices	0	1	0
Delivering three notices of highways	0	3	0
Journey to Little Horsted with the same	0	2	6
Delivering notices of special sessions	0	7	6
Attending sitting with surveyor's list	0	2	6
Paid for having bill made for conveying Henry Winn	0	2	0
Journey to Lewes with voters' list	0	10	6
Delivering warrants, county rate	0	7	6
Paid parcel notices	0	1	0
Attending quarter sessions	0	10	6
Attending sitting (Falconer's case)	0	2	6
Paid for having three bills and letter	0	6	3
Attending sitting, and serving summonses on H. Taylor (Falconer's case)	0	4	6
Attending quarter sessions	0	10	6
Delivering notices to the several headboroughs of the hundred to affix notices on the church doors of special sessions for granting licences	0	7	6
Delivering notices to overseers to make out lists for appointing new overseers	0	7	6
Delivering notices to magistrates of the district of special sessions to appoint new overseers	0	7	6
To collecting county rate	0	6	0
Journey to Lewes to pay the same	0	10	6
Attending sitting (Wheatley's case)	0	2	6
Paid for having bill made, and gate	0	2	8
Attending sitting, and serving summons on William Taylor, jun., (Falconer's case)	0	4	6
Attending sitting, and bill made for conveying John Miller	0	4	6
Parcel notices, and delivering three notices, and journey to Little Horsted	0	6	6
Letter	0	0	6
Attending quarter sessions	0	10	6
Summoning jury, inquest (Daniel Diplock)	0	5	0
Summoning 24 persons (court leet)	0	6	0
Paper	0	2	0
	£10	10	11

Extract of a Letter from R. SHUTE, *Esq., Witheridge, Devon.*

In every case in which fines are levied, the expenses are either deducted from such fines, or otherwise paid by the defendant. All applications for summonses are paid by the parties, who also, when there is no conviction, pay the constable. No expense can therefore fall on the county rate, excepting in cases of commitment. Prisoners are conveyed to the county gaol at 6*d.* per mile by a contractor, who is responsible, under a heavy bond, for their safe delivery, and the constable is allowed his expenses *only* till the commitment is made out. Some of the functionaries are not sufficiently attentive to their duties, which may be attributed partly to the insufficiency of their remuneration, and partly to their lack of adroitness and experience, but principally to the local connexions by which they are hampered; a circumstance which must every where militate against the conscientious and efficient discharge of their duty; though there are, of course, many active and intelligent officers in the number. The appointment of a *directive* and limited *Police Force*, visiting occasionally every portion of a district, and within reach in cases of emergency, might be productive of considerable advantage, and would certainly stimulate the parochial constables to a more active and efficient discharge of their duties. The subject is worthy of attention, particularly in the rural districts.

Extract of a Letter from THOMAS DIMSDALE, *Esq., Barnet.*

The expenses of our voluntary police have decreased at about the average rate, for the first ten years, of 1½ per cent., and the next five years about 5 per cent., and since then at least 12 per cent. The constables' bills are almost as difficult to give you a correct idea of: the items which the vestries allow are only a part, but I have before me the following as a near estimate for the last year.

Barnet, little short of	£80	0	0
Hadley, „	25	0	0
Friern Barnet, „	18	0	0
East Barnet, „	20	0	0
Enfield, „	100	0	0

Communication from T. DYER, *Esq., Surrey.*

EXTRACTS from a Plan for the Improvement of the Magisterial Jurisprudence of England, and to reduce the Expenditure of the County Rates.

First. The more easily detecting the perpetrators of crime by removing the difficulty, trouble, and expense of laying an information.

Secondly. To improve the system of appointing constables for places not under the operation of the Police Act, and to make them a more efficient force.

Thirdly. To lessen the expense of conveying prisoners to gaol

Fourthly. To reduce the expenses of prosecutors and witnesses for the smaller crimes of petty larceny, misdemeanors, and other small crimes now tried at the quarter sessions, which expenses are now charged on the county rates.

Fifthly. To remove the reduced expenses from the county rates to those who by their misconduct cause them.

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

Considering one fact worth one hundred theoretical assertions, I shall endeavour to prove every assertion that I make by stating two or three cases which have either come under my own observation, or are of public notoriety, or stating where they may be found, so that any further inquiries may be made if necessary; and in doing so will endeavour to avoid technicality, putting down only sufficient to show the case, without going through all the evidence necessary for a legal conviction. It is said that "the knowledge of disease is half its cure," and "that it is better to prevent than cure;" this may be applied to crime, which, like disease, is of a progressive nature. It will only require a reference to the Newgate Calendar, and other like works, to show that crimes of the deeper die are rarely the first essay of criminals. Before a remedy can be applied the source must be discovered; to do this will only require a few minutes. The unsuspecting youth, with the most innocent intentions, spends an evening at the tavern or beer-shop, where he is sure to meet with the bad characters of the neighbourhood. Jovial society, and a small portion of that stuff usually sold under the name of beer, produce excitement, and enhance the pleasure of the evening. A few repetitions of these visits cause lassitude and a distaste for his daily occupations; his small funds are soon exhausted, but the pleasure of the beer-house is too great to be given up. A jeer for his non-attendance is met by the declaration that he has no money. He is then in a fit state for the more wary rogue, who is ever on the watch for such, his prey. The proposition to rob an orchard or snare a hare is made, and the offer to dispose of it for a small commission is too tempting to be withstood. The game season ended, the poultry-house and flocks of geese are the next objects for which an easy sale can be obtained. Shops, which to all appearance are respectable, are too often the receptacles of stolen goods. The impunity with which such thefts can be carried on, in rural parishes particularly, emboldens the offender, for, if detected in some minor crime, the chances are that it will be compounded. The extensive and alarming ramifications of unions, formed among depredators to pay the fines, or protect the families of the convicted during imprisonment, is one of the greatest incentives to crime, and it rarely happens that, after an habitual course of such a life, a person turns to honest labour for a livelihood, but continues till detected in some crime for which his life or future liberty is forfeited. To prove this it would only require a slight search through the gaol calendars to see the proportions of first and second convictions in cases of imprisonment. The fines returned to the treasurer of the county would show the proportion of those who pay; and add to this a small, I might say a large per centage of those cases which escape when before the magistrates as first convictions. The difficulty, and almost impossibility, of the magistrate knowing how often the same person has been convicted, will be understood when it is remembered that the production of a copy of a former conviction is the only evidence on which he can act; and how can that be obtained? Even if he had reasonable grounds to suspect that such had been the case, he would have to remand the prisoner to the gaol, (in most rural districts,) for want of a proper place being provided in the parish, till he could communicate with the clerk of the peace; and even then, should a previous conviction have taken place, and the prisoner pays the fine attached to a second conviction for the particular offence, the county would be put to the expense of conveying him backwards and forwards, and the magistrate would be liable to an action for false imprisonment. Having made this general statement, I will now proceed to point out some of the defects which exist under the five different heads stated, and afterwards give a sketch of the plan I propose for removing them.

First.—*The more easily detecting the Perpetrators of Crime by removing the Difficulty, Trouble, and Expense of laying an Information.*

That the expense and difficulty attending every case, in bringing it before a magistrate, operate as a check to the punishment of criminals, must have appeared to every one who is conversant with the present administration of those laws which give to magistrates jurisdiction in counties where the residences of magistrates are situated far apart, which must necessarily be the case in many. The uncertainty of finding them at home, and the expenses to be incurred, are so many barriers to justice that they greatly increase the offender's chances of escape; for, when detected, the offer of compounding on the one hand, and the above-stated difficulties on the other, are strong inducements to accept of composition. I will state one case which occurred in this parish, and I am sure that every landed gentleman residing on his own estate, who is at all acquainted with the manners, customs, and characters of the lower orders in rural districts, would be able to mention several.

A poor man, whose chief livelihood is the profit from his bees, was disturbed early one morning. On looking out of his window he saw two men at his apiary. Before he could get out to them they ran off, carrying with them one of his hives. They were unknown to him, but when he got to his gate two labourers, who were going to work, told him they had passed two men, viz., ———— and James S——; that they were going very quickly, and had with them something large in a bag. He went the next morning to the residence of one of the above, and there found his bee-hive, but the honey was gone. He went to the place where the two men were at work, to get them to go with him before a magistrate. They refused unless he first paid them for their loss of time, (five shillings each,) being employed in mowing clover for hay. It was out of his power to do so, and he went in search of a magistrate. He came to the residence of both the magistrates in his parish: they were both absent, and not likely to return for some days;—a walk of three miles from his house for nothing. The following day he went to Chertsey, a distance of more than seven miles, but with no better success. James S——, being informed that complainant had been to a magistrate, went to him, and compounded the business, paying £5. This did not come to my knowledge for some months after, when the principal and witnesses were out of the way.

James Craine, a respectable, industrious, but very poor man, renting a small cottage and part of a field, came to me on the 16th of October last to make information under the Malicious Injury Act against Jonathan Waters, a very bad character, but, when I told him that fees would amount to seven shillings, he said he could not pay them, and that it was better to let the fellow go than add that sum to what he had already lost. I knew that such a sum was totally out of his power to pay, being well acquainted with Craine's circumstances. I told him the expenses should not fall on him, and took his information.

It was given in evidence that on the morning of the 16th October he went to dig some potatoes for himself; he saw Jonathan Waters pulling up his potatoes; on going towards him Jonathan Waters

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ran away. On the spot where he had been Craine found about half a bushel of potatoes up, ready to be carried away. Damage estimated at one shilling. I convicted Waters in a fine of twenty shillings, one shilling damage, and five costs, the constable's fees of two shillings being saved by Craine's taking the prisoner as he met him on the road. Jonathan Waters was committed, in default of payment, for one month hard labour.

I have said that demanding the fees would in many cases be a denial of justice. The above (and there are many I could name) will show the truth of my assertion; for could it be expected that a person, who can only by constant labour and great prudence keep himself and family from the workhouse, would add five shillings to the value of the mischief already done him?

If the vindication of the law is to be left to private charity, it will only encourage those injured to follow what is already too often the case—to take summary vengeance the first opportunity.

Secondly.—*To improve the System of appointing Constables for Places not under the Operation of the Police Act, and to make them a more efficient Force.*

Constables are usually chosen at the tourn, or leet. The constable going out of office gives in the name of some person, as his successor, belonging to the parish for which he has been acting. In some parishes the name sent in is fixed upon at a vestry, but, being an office much wished to be avoided, and one for which the parish is not answerable for the manner in which the duties are performed, no trouble is taken in the selection, except to avoid giving offence to personal friends. It is almost a matter of course the name is accepted, and the man appointed, without any inquiry into his fitness for the office, and often the person cannot write or read. These courts in many places do not meet for many years together. In a district in this neighbourhood no court has been held for seven years.

On the 21st of October last I issued a warrant for the apprehension of three men for a malicious injury. Two were taken late the same evening, and the third early the following morning. When brought before me and convicted, upon my inquiring of the constable what his expenses were, he answered twenty-five shillings. I asked him to give me the items, when he produced a bill (which I will endeavour to obtain, and send as a curiosity to the Commissioners; but I fear of by no means a rare occurrence). The first charge was, "For liquors and beer for supper, five shillings." I handed the bill to the overseer, (Mr. Cobbett,) desiring him to lay it before the vestry the next night, to caution them as to their constable's charges; and I know that many parishes are in the habit of paying constables' charges which they have no right to make or the parish to pay.

During last summer a case was heard by Samuel Thornton, Esq., and myself, when it came out in evidence that the complainant was returning from a benefit club with two others, when they were overtaken by three men, one of whom, as they ran past, snatched G. G——'s hat off, and threw down his own. They were overtaken nearly opposite the house of the parish constable. One of the party knocked the constable up, who opened his window, and desired them to go about their business, or he would shoot them. The men escaped for a time, but, being known, were afterwards taken and punished.

The constable, being summoned by me to answer for his conduct, stated he had only been a constable three months; he did not know his duty, and could find no book from which to learn it.

There is, I believe, no work within the reach of a constable, tithing-man, or poundsman. The new Highway Act, which comes into force next March, will inform the latter of most of his duties, but for the others I believe "Chitty's Parish Officer," price £5, is the cheapest, and of course totally out of their reach. By 27 Geo. II., cap. 20, 33 Geo. III., cap. 55, 5 Geo. IV., cap. 83, constables are liable to punishment for neglect of duty; but it is hard to punish a man for neglect of duty without giving him any means to learn it. Justices of the peace have no power to appoint petty constables except in default of the court leet doing so, or on the death of a constable—see 13, 14 Car. II., cap. 12, sec. 15—but then only till the next leet or quarter sessions.

Thirdly.—*To lessen the Expenses of conveying Prisoners to Gaol.*

That the expense of conveying prisoners is, under the present system, one of the heavy charges on the county rates, could best be proved by a reference to the county treasurer's accounts under that head.

The statute for classification provides that, after making the classification, "such class or classes of prisoners as shall be specified in order, and no other, shall be admitted or detained in any gaol or house of correction respectively." Consequently it often happens that a magistrate has to send a prisoner to a gaol at a great distance, when in a few days he will be brought back to be tried at one within a short distance of the place where his commitment took place; and where several commitments take place at the same time, (as is often the case at benches,) as many constables must be employed as there are prisoners, because they must be sent to different gaols, according to their crimes. The mode adopted in this county is, when a constable delivers a prisoner, the keeper of the gaol gives him a certificate, at the foot of which are printed the allowances for that duty, which certificate is brought to the committing magistrate to be filled up. A shilling a mile is the usual allowance for conveyance—(much useful information on this head may be obtained by getting from the clerk of the peace constables' certificates for half a year, as they are left in his custody after having been paid by the treasurer)—and any person who has not attended the passing of county accounts would be astonished at the sum to which this charge amounts.

It is of no use to give a case in point, particularly as there can be no doubt of the heavy charge on this head, and I should only have to repeat it when I state the plan I propose to reduce it.

Fourthly.—*To reduce the Expenses of Prosecutors and Witnesses for Petty Larceny, Misdemeanor, and small Crimes now charged on the County Rates.*

To give some idea of the immense expense charged on the county rates for the expenses of prosecutors and witnesses necessary for the conviction and consequent punishment of persons guilty of petty larceny, &c., I shall only state two cases.

First.—James Day, labourer, of Chobham parish, county Surrey, was charged before me, on the oaths of Samuel Lane, John Stevens, William Smith, and others, with feloniously stealing a gammon of bacon from the house of the said Samuel Lane, of the parish of Windlesham, in the said county. Committed 19th March last to Horsemonger Lane, and tried at Riegate 7th April; sentenced to six months' hard labour.

Second.—Edward Stevenson, charged on the oath of John Stevens, farmer, Samuel Lane, beer-shop keeper, and others, with feloniously stealing ten duck-eggs from the nest of a sitting duck, the pro-

perty of Samuel Lane, of the parish of Windlesham; committed 21st March last to Horsemonger Lane, tried at Riegate 7th April; sentenced to three months' hard labour.

These two cases cost the county about the following sums:—

	£.	s.	d.
For conveying James Day from Chobham to Horsemonger Lane . . .	1	10	0
For conveying Edward Stevens the same thirty miles	1	10	0
Allowances to prosecutors and five witnesses, at £1 5s. each*	8	15	0
In the above there is no charge for subsistence for prisoners or constable, but there must have been at least 1s. 9d. for each prisoner, and 2s. for the constable	0	3	6
	£11	18	6

So that the county had to pay the sum of £11 18s. 6d. for a gammon of bacon, value 4s., and ten duck-eggs, value 1s. 8d.; and the prisoners received, one six months', and the other three months' hard labour.

It was said some years ago, by a Member of Parliament, that an inefficient police and non-resident magistracy would be the ruin of that unfortunately disturbed country, Ireland; and although, at the time, little notice was taken of the warning, how truly has his prophecy come to pass! When it had become too late to correct the evil it was attempted to do so by organizing an expensive and extensive police force, under police magistrates; but even then, with these powerful means, crime could not be checked. A large body of military were quartered over the country, and many of the officers appointed magistrates for the districts in which they were quartered; but all of no avail—it was too late. Few persons, how ill soever they may be disposed, are found hardy enough to outrage the laws when they find that punishment is sure to follow the first offence; but, when disorganization has taken place, the force which in other times would have kept order is totally inadequate to restore peace.

From what I have said, and from that mass of information which the Commissioners will of course receive, I am sure they must come to the conclusion that there is great necessity for improvement, and that such could not be effected without a great alteration in the present system.

The defects I have stated, and endeavoured to exemplify by two cases under each head, are not the only ones to be met with in the present system. I by no means suppose I have followed up any one head, or fully stated its bearings; but, as the convenience of reference to many documents necessary to prove the foregoing assertions and the following calculations is in the possession or within the immediate reach of the Commissioners, I have not thought it right to trespass further on their time. That the magisterial jurisprudence of this kingdom could be much improved, so as to have a more efficient check over crime, with a considerable reduction of the county rates, has for some time appeared to me; and I feel confident that by the adoption of a plan, of which the following is merely a sketch, the expenses specified under each head may be reduced from between thirty to sixty per cent.; but, as my confident feelings may go for nothing, I will endeavour to prove my assertions.

Proposed Alteration.—Each county in England should be divided into districts, and for each district there should be appointed a visiting magistrate, whose duty should be to visit certain places in his district, (to be named,) at specified times; these places should be so selected that he should be within six miles of every spot in his district at least once a fortnight, and the time of his being there should be published and known to the whole district.

Duties of the Visiting Justice.—He is to hear applicants for summonses or warrants, take their informations on oath in writing, (and require the informer to sign the same,) to issue the necessary summons or warrant for the principal, and summonses for the witnesses necessary to prove the case; the informant paying a fee of 6d. for the service or execution of the summons or warrant on the principal, and a fee of 3d. for each witness's summons. The place fixed for hearing the case is to be as near as circumstances will permit to the residences of the parties. When the case comes before him he is to examine both the complainant and his witnesses, and then the defendant's statement in his defence, and examine any witnesses he may produce on oath, taking or causing the whole to be taken down in writing; each should be required to read his own deposition or statement, or it should be read over to him; he should be required to sign the same, and the visiting justice to countersign it. Should any one object to sign it, the visiting justice should make a memorandum to that effect. He is then to consider the case: if he convict the defendant he is to calculate the expenses following, and the fees above stated for service of summonses and warrants; the expenses of the loss of time for the witnesses summoned, or those necessary to prove the offence (see witness's table of expenses); the expenses of prisoner's subsistence in custody (see table of fees); the value of the damage, if any is attached to the conviction of the particular crime; the fine, if any is attached to the conviction of the particular crime. He is then to call on the prisoner to pay the total sum,† which if not immediately paid, or at such time as the visiting justice shall think fit to appoint it to be paid, the visiting justice is to commit the offender to the nearest gaol to where the conviction takes place, for the time specified by the particular Act referring to the case. The visiting justice is to give the following orders on the treasurer of the justices' fund.

1. To the informer for fees he paid.
2. To each of the witnesses for his expenses.
3. To constable for subsistence of prisoner while in custody.

The visiting justice is also to calculate the following expenses, and enter them on the prisoner's commitment:

4. The compensation to complainant for damage done.
5. The fine.
6. The expense of conveying to gaol.‡
7. The subsistence of the prisoner in gaol, at 11d. per day, for the number of days committed (to be entered by gaoler).

Should any money be found on the prisoner, it is to be applied (as far as it will go) towards the above expenses, in the order in which they stand.§ But if no money, or not sufficient, should be found, then the visiting justice is to issue a distress warrant ‖ for the whole sum, or that part which is

* I have charged the prosecutors and witnesses at £1 5s. each. One of them afterwards complained to me that he only got that sum, although he believed others got more for the same case.

† See Justice's Return, page 108 [C.]

‡ See page 109 [D.] § See Justice's Return, page 108 [C.]

‖ This is nearly the law at present. See stat. 27 Geo. II., c. 3, s. 1; but it has not the objection to stat. 3 Jac., c. 10, s. 1, which the former Act was meant to get rid of.

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not paid by the money found, (if any,) on the goods of the prisoner, to be executed as stated under the head "Constable," and any money arising from such distress to be applied to pay the above expenses in succession. But should there be sufficient, with money found on the prisoner, and by the distress, to pay part of the first six heads, then the gaoler is to deduct so many days from the imprisonment as the part thus paid will bear to the whole.

But, should there be no money or distress, then the expenses under the first three heads must be borne by the justices' fund, and the last three by the county rate.

This method of paying the first three heads would not have the objection which the 3 Jac. cap. 10, had. (See note, p. 15.)

But, should a complainant lay an information, and cause summonses or warrants to be issued, and then not attend at the time and place which have been named for hearing the case, and not show good and sufficient cause for such non-attendance, the visiting justice shall discharge the defendant, giving him a certificate of the cause of his discharge, which shall be a bar to any further proceedings by the said complainant against the defendant in the same case. And the visiting justice shall give an order for the expenses of the witnesses present who were summoned, and issue an order on the informant to pay the amount of the same; the sum charged for the subsistence of prisoner in custody, (if any), together with a fine of ; which said amount shall be recovered by distress and sale, or, if none, by future attachment of wages.

Should a witness neglect to appear after being duly summoned, then the visiting justice, if necessary, shall adjourn the case, and cause the witness to be arrested and produced at such adjournment, or shall proceed with the case, and make an order on the absent witness for the expense of serving the summonses, and a fine of for his non-attendance, which amount shall be recovered by distress, or future attachment of wages, but in both cases the visiting justice shall cause the money recovered to be paid to the credit of the justices' fund.

Appeal.—Should either party feel aggrieved at anything done by the visiting justice, and shall, at the time of conviction, or within days after, wish to appeal, he shall give notice in writing to the visiting justice of his intentions, and shall immediately either place in the visiting justice's hands double the sum total of the fines, costs, and expenses stated in the conviction, or enter into recognizances himself in double the sum total, and two good securities, each in the sum total, to abide the appeal.

Place of Appeal.—Every appeal from a visiting justice should be to a special bench held for the district, to be appointed for that purpose as hereafter stated; and the information and depositions in support of information, what the prisoner alleged in his defence, and the depositions of his evidences, signed and countersigned as above mentioned, should all be produced by the visiting justice, and none other evidence should be admitted. The majority of justices at bench should decide the case, and their decision should be binding and final on all parties.

If they decide that the conviction is not good according to the particular Act referring to the case, they shall then make an order on the visiting justice to pay the party appealing such compensation as they shall think fit for his loss of time, trouble, and expenses, not exceeding double the amount stated in the conviction; and, if they confirm the conviction, then the money lodged, or, in case of surety, the amount entered into by appellant, or in default by his sureties, shall be immediately forfeited, and the conviction carried into effect, the bench making the visiting justice such compensation as they shall think fit, not exceeding one moiety of the whole sum, and the overplus to be carried to the county rates, first paying the charges on the justices' fund.

The visiting justice should have power to hear and determine all cases which at present require two magistrates, as well as those which are now directed to be heard before the two magistrates who reside nearest the parish church, or require one of the magistrates to be of the quorum. These two cases are nearly obsolete.

This might at first appear to be giving the magistrate too much power; but, if a reference be made to different Acts, it must at once be perceived that the Legislature has followed no fixed plan to govern the power of magistrates acting singly or conjointly, and the check to any abuse of a visiting justice's power, by an appeal to the bench, is within the reach of any person, as the fees may be as low as it may be thought right to make them, and the check mentioned under the head of Appeal I should think sufficient to prevent vexatious appeals.

I have taken from single magistrates and the benches nearly all the duties they at present perform, and put upon them only appeals from the visiting justice, which must be few; for if they often occurred, and were decided against him, he would be by no means fit for the place, and should be removed.

Benches.—The duty of benches should be to hear and determine all appeals from visiting justices; they should also hear and determine all cases of petty larceny, trifling misdemeanors, particularly for first offences, and where they think the crime could be met with a punishment of months' hard labour (as in two cases, page 14). I see no objection to these cases going before the visiting justice; for, if the information should be before him, he would have all the trouble of taking the information and evidences before he could commit the prisoner for trial to the bench, and the punishment (if he decides it) could be fixed not to exceed a certain *maximum*. But if he considers his power too little to deal with the case, then he should send it to the bench, or a higher tribunal, according to the circumstances of the case.

The following are cases which should be decided at a bench. All second cases of petty larceny of minor degree. Cases which are now specially directed to be decided at a petty session (see new Highway Act, Beer Licences, &c.). All cases of disputes of rates, where the cause of dispute turns on the invalidity of the rate, or the place asserted to be extra-parochial.

There are many offences very prevalent which are at present totally unprovided for, (except in some places under special Acts,) in which the parties are left to their remedy at law, and therefore the offenders seldom get punished: such as creating a mob in a public street or highway, and becoming a nuisance to the public; insulting females and others passing by obscene and disgusting language; annoying householders by pulling bells, and throwing stones at doors; causing false alarm by cries of "Fire!" ringing bells, and using noisy instruments at a late hour of the night.

These are cases which might easily be embodied under the head of Nuisances, and made punishable before a visiting justice for a first offence, and at a bench for a second offence.

Justice Fund.—A fund should be raised in each district upon the same principle (and at the same proportion as may be found necessary) as the poor-rate for each parish in the district, which fund should be proportionably applicable to the expenses incurred in each parish respectively, on the same principle as the poor-rates of the whole union are by the new Poor-Law Act proportionably

applicable to the expenses of the poor in each parish respectively. This would do away with the objections to the 3 Jac. c. 10, as to the parishes paying for the expenses of offenders. It was then thought that such tax upon the parish was a discouragement to parishes to take offenders. Each parish bearing a proportion of the expenses (which in any case must be small) would induce them to do all they could to punish first offences.

But the parish as a body has no power, if individuals are deterred by the expenses and difficulties from bringing offenders to justice. Crime must increase; but, if every inducement is held out to them by removing the difficulty and expense, then, for their own sakes and protection, they would come forward.

Constables.—Constables should be selected from the pension list of the army and navy. The amount of pensions to discharged men vary from nine to fifteen pence per day; many of the pensioners are perfectly able-bodied and efficient for the duties of this office (see the new police and Irish police), and would for a small increase of daily pay be glad of such an appointment. One or two of those should be appointed to each parish, upon a similar principle to that adopted to decide the number of members for Parliament under the Reform Act; but, instead of taking population and King's taxes, population and acreage should decide the number of constables.

I have given the pensions of pensioners as varying from nine to fifteen pence per day; the average is one shilling, and, if five shillings per week were given as pay to each, there would be no want of applicants for the situation.

Each constable would cost the sum of £13 per annum. This might be much reduced by a small outlay at first. I should propose that every parish should build police residences, and, when two police constables were to be stationed in the same parish, their residences should join, as in the case of the mounted police round London. Residences perfectly fit for every purpose (with a strong room attached in lieu of the present round-house) might be built, from £30 to £40 single, and from £50 to £60 where two are joined. They should be situated in every case a short distance out of the village, on the high road from one parish to another, and leading to the gaol within or near the district. If these residences were provided, the pay of the constable might be made up to eight or ten shillings per week, including the pension; the house considered as two shillings, he would have the value of twelve shillings per week, the sum an able-bodied man obtains at present in summer. But this might still be reduced. When it is considered that he is to receive sixpence for every summons or warrant for a principal, and threepence for a witness, also threepence per mile for every prisoner, his allowances in the year would amount to a good salary.

I before stated that the sums charged by constables to their parishes were very considerable; the following are those made to the parish of Chobham:

	£.	s.	d.
From March 1831 to 1832	9	13	5
„ 1832 to 1833	0	11	0
„ 1833 to 1834	19	12	3
„ 1834 to 1835	17	18	3
	£47	14	11

The average per year is £11. 18*s.* 8¾*d.*

It would require too much time to send for the books of the neighbouring parishes, or I would state a few more.

To give some idea of the difference of expenses of the present system and the one proposed, I beg to refer to the following estimate. That given under the head of Probable Expenses is of course only an estimate made from memory of similar cases; but I am sure that a reference to the actual accounts (which is at present out of my power) will prove I have put them under the real charges. The names given are taken from the Calendar sent [marked No. 1], and are such as might come under the cognizance of a visiting justice, at least as far as I can judge without the evidences. I have numbered them as they are numbered in the Calendar.

Probable Expenses under the present System.

Names.	Date of Commitment.	Number of Days before Trial.	Place of Conviction.	Number of Miles.	
1. Susan Jewett.....	15th September	29	Farnham	41	Conveyance to gaol, 1*s.* a mile each.
2. Richard Willes ...	22d September	22	Battersea	4	
4. Sarah Cooper.....	24th September	20	Wandsworth	6	
5. William Mitchell..	29th September	16	Ashstead	17	Miles. £. s. d. 106 | 5 6 0
6. Thomas Vaun	30th September	15	Wandsworth	6	
9. John Jones	1st October	14	Battersea	4	
10. Isaac Mitchell	4th October	10	Croydon	14	
11. Thomas Sanders ..	4th October	10	Croydon	14	One at 1*s.*, and two at 3*d.* per mile.
12. Sarah Henwick ..	6th October	8	Croydon	14	£1 1 0
13. William Johnstone		8	Croydon	14	
14. John Page.....		8	Croydon	14	

	£.	s.	d.
For the subsistence of the above, at 1*s.* each per day, before trial	8	0	0
To constable for conveyance of eight first prisoners, at 1*s.* per mile	5	6	0
To constable for conveying three last prisoners, one at 1*s.*, two at 3*d.*, for fourteen miles	1	1	0
For subsistence of each prisoner for one day, at 9*d.* . .	0	8	3
For subsistence of constable for nine days, at 1*s.* . . .	0	9	0
Add for one prisoner one day extra at 9*d.*, and constable one night at 1*s.*	0	1	9
	£15	6	0

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Allowing that there were only a prosecutor and two witnesses to each case, and that they had to travel only ten miles average to Kingston, where the prisoners were tried, the charges for their expenses must have been, at the lowest, allowing half of the prosecutors to have been in the rank of yeomen or shopkeepers, the others as labourers, and all the witnesses as labourers,—

	£.	s.	d.
Brought forward	15	6	0
Four prosecutors (shopkeepers), at 5*s.* per day	1	0	0
Five prosecutors in the rank of labourers, at 3*s.* per day	0	15	0
Nine prosecutors' travelling expenses, at 2*s.* per mile, ten miles each	9	0	0
Eighteen witnesses' travelling expenses, at 2*s.* per mile, for ten miles each	18	0	0
Subsistence for eighteen witnesses, one day, each at 2*s.*	1	16	0
	£45	17	0

I have calculated for prosecutors and witnesses as if the sessions were finished in one day, but I think they lasted three; consequently the allowances for those who were kept after the first day increased, nor have I made any charge for expenses before the committing magistrates.

Had the cases gone before a visiting justice, on the proposed plan, the distance of sending them would in every case have been shortened,—in most by half. All except the two (Nos. 1 and 5) would have, if committed, been sent to Brixton to have undergone their punishment immediately; and Nos. 1 and 5 to Guildford, shortening the distance in the first case from 38 to 9 miles, and in the second from 17 to 14 miles.

The expenses under the plan I propose would be as follow:—	£.	s.	d.
For subsistence of eleven prisoners in custody of constable before conviction one day, each prisoner at 6*d.* a day	0	5	6
First eight prisoners' conveyance to gaol, ten miles each, at 3*d.* per mile	1	0	0
Three last prisoners, requiring two constables, at 3*d.* per mile each constable, for three prisoners	0	5	6
Subsistence of eleven prisoners on road to gaol, at 6*d.* per day each	0	5	6
	£1	16	6
Under present system county paid	45	17	0
Expenses under the proposed plan	1	16	6
Leaving a balance, in favour of county, of	£44	0	6

And in case of acquittal a prisoner would not be kept in gaol an unnecessary time, as in the present cases, from his commitment to his trial, at an unnecessary expense to the county.

The accompanying circular will show I am not singular in supposing that many fines never reach their proper destination, and I do not believe that any check could be devised under the present system to secure their doing so. Magistrates are often called upon to decide a case when engaged in their private business or pleasure; the fine paid is handed to the constable, who is ordered to pay the fine to the overseers, to be applied as the law directs. I think I have shown that all constables are not worthy of this confidence, either from ignorance or other reasons; and a magistrate must have seen little practice in his duties who has not found overseers who could neither read nor write, and some in whom, did he know their characters, he would have great reason not to place confidence in them. It is almost impossible for any magistrate to make himself acquainted with the characters of the overseers and constables of all the parishes in his neighbourhood, particularly if he passes only a few months in the year on his estate; and, were he to follow up the law by issuing distress warrants on the property of the convicted who are committed in default of payment, it would occupy more of his time than many would be inclined to bestow. The multiplicity of forms is also another difficulty. When cases are decided at a bench, and time is given to pay the fine, it has struck me they may often escape.

I by no means wish to attach any blame to the clerks of the bench, but where anything is merely intrusted to memory we are all too apt to fail.

I have heard much argument on the subject of a check, but any that I have heard proposed appear to bring objections which render them of no value. To be efficient it must be on the same plan as the Government offices, particularly in the higher ones; viz., that three persons must be equally interested, the receiver, the payer, and the person holding the vouchers. Any person who could object to such a check being put on him must have a mistaken idea of delicacy of feeling: even the ministers of state are under such control in their offices. The check in table [C], p. 108, applicable only to the proposed alteration of system, has the above three essentials; nothing can be left to memory, and the slightest mistake must be detected. The visiting justice is to keep a daily report of all proceedings before him, by filling up the columns as he proceeds in each case; and make a monthly return, containing all the daily reports.

The order for constables' fees should bear upon it the number of the case, &c.; this order, when paid, should bear his signature, which would be the treasurer's voucher of having paid the same; and the value of the whole vouchers produced, being deducted from the total sum paid into his hands, would show the credit remaining to the fund.

The same with the witnesses' orders for expenses. The number of constables' and witnesses' vouchers must agree with the total number in the visiting justice's return for the same period, and the total value of the whole with the total value in the return.

The constables' return of money found on the several prisoners must agree with the prisoners' acknowledgment, and the visiting justice's return. The fines paid must agree with the Receipt Book of Fines and the visiting justice's return. In cases in which no payment or only part is made, the visiting justice's return, the commitment and gaoler's receipt of prisoners, must agree; and further, the sum total under every head must agree with the sum total of the vouchers under each head.

That this would be a perfect check I have no hesitation in stating, a similar plan having been adopted to check the most difficult and intricate accounts—the Royal Artillery mess wine accounts at

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Woolwich and Portsmouth, where for a time (when I served in that regiment) I had the control over them; and so efficient has it been found, that for many years no mistake even of one penny could occur without being immediately detected by the auditor.

It may appear from what I have said, with respect to committing to the nearest gaol, that I thought of altering the present classification, but I have no such wish. I have already much passed the bounds within which I had wished to confine myself, and therefore will leave it for future explanation if necessary.

Constables' fees under the proposed plan.	d.
For serving summonses or warrants on principal	6
For serving ditto on witnesses	3
For every mile travelled with prisoners	3

Papers referred to in the preceding Communication.

[B.]

Referring to disputes between masters and workmen. (Act 5 Geo. IV. c. 96, s. 30.)

Justice's Clerk.	d.
For every summons	2
For every oath	3
For every order	4
Warrant	6

Constables.	s.	d.
For serving every summons	0	4
„ distress warrant	1	0
For custody of goods per day	0	3
For every mile the constable may travel	0	3
For every caption	0	6

Constables' Fees in common Cases.

Serving or executing every summons or warrant of arrest (not in the same case)	1	0
For every one (above the first) in the same case, and the distance not much	0	6
If far apart	1	0
Where an assistant is necessary, (if a labourer)	2	0
If called from his work, what he lost by being so employed		
For maintenance of prisoner in round-house each day	0	9
„ „ „ each night	0	9
For attending to prove service of summonses or warrants with a prisoner	1	0
For every extra prisoner or summons	0	6

N. B. There is "Chitty's Burn's Justice," vol. i., page 811; 26th edition, 1831; in which is stated to be a list of fees allowed to constables in most parishes in England, but for which he gives no authority.

[C.]—VISITING JUSTICE'S REPORT for the Station, the 3d day of August, 1835.

No. of Case.	Informer's Name.	Date of Summons.	Date of Warrant.	Date of When exec uted.	Defendant's Name.	Crime.	Parish to which Defendant belongs.	No. of Witnesses.	No. of Witnesses who attended.	Sentence in default of Payment.	Expenses of Witnesses.	Maintenance in Custody before Conviction.	Compensation for Damage.	Fine.	Total to be paid.	Found on Prisoner.	Left in Debt.	Remarks.
											£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1	A. B.	1 Aug.	. .	. .	E. L.	Assault	Chobham	5	3	20 H. L.	0 3 0	. .	. .	0 10 0	0 13 0	. .	. .	Paid.
2	C. D.	. .	1 Aug.	1 Aug.	P. S.	Malicious In.	Horsell	2	2	48 H. L.	0 2 0	0 1 6	1 0 0	1 0 0	2 3 6	1 0 0	1 3 6	Commit td.
3	J. F.	. .	Do.	Do.	B. U.	Game	Woking	1	1	90 H. L.	0 1 0	0 1 6	. .	5 0 0	5 2 6	. .	5 2 6	Committed.
3	. .	. .	. .	. .	. .	. .	. .	8	6	. .	0 6 0	0 3 0	1 0 0	6 10 0	7 19 0	1 0 0	6 6 0	. .

Signed,

———, Visiting Justice.

GAOLER'S RETURN, from the day of , to the day of 183 .

No. of Cases.	Left in Debt.	Conveyance to Gaol.	Maintenance in Gaol.	Value of Effects found by a Distress.	Remaining for Attachment on Wages.	Remarks.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1	. .	. .	. .	. .	. .	. .
2	1 3 6	0 2 0	4 4 0	5 0 0	0 9 6	Served the time.
3	5 2 6	0 2 0	4 10 0	6 0 0	3 14 6	Ditto.
6	6 6 0	0 4 0	8 14 0	11 0 0	4 4 0	. .

Signed,

———, Gaoler.

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[D.] BACKING OF COMMITMENT.

Received this 1st day of August, No. 2, C. D., convicted of malicious injury at Horsell.

Commitment dated 1st August.

Dr. to the County.	£.	s.	d.
Expenses of witnesses	0	2	0
Maintenance	0	1	6
Compensation for damages	1	0	0
Fine	1	0	0
	2	3	6
	1	0	0
Left in debt	£1	3	6

Credit to the County.	£.	s.	d.
Found on prisoner	1	0	0
	£1	0	0

(Signed) _____,
Visiting Justice.

	£.	s.	d.
Carried forward—left in debt	1	3	6
Conveyance to gaol, 12 miles, at 3d. per mile	0	3	0
Subsistence for two days, at 1s. per day	0	2	0
	£1	8	6

	£.	s.	d.
Received 3rd day of August, from distress warrant, the sum of	2	0	0
	1	8	6

Discharged the prisoner after paying him the difference 0 11 6

Prisoner's signature, C. D.
Gaoler's signature, _____.

The following is a LIST of CASES, in which the Informations were laid before me at my own Residence, for the Year ending November, 1835.

Offence, &c.	Where decided.	Fees in each Case.	Total Fees.	Average Fine in each Case.	Total Fines.	
		s. d.	£ s. d.	£ s. d.	£ s. d.	
Fifteen Assaults	Eleven decided at bench	8 0	4 8 0	0 2 0	1 2 0	Average, about one-third committed in default of payment—5.
	Four at home, assisted by another magistrate	,,	1 12 0	0 2 0	0 8 0	
Seven under Peel's Acts	Three at bench	,,	1 4 0	0 9 0	1 7 0	. .
	Four at home	,,	1 12 0	1 0 0 known.	2 0 0	. .
Disputes on Non-payment of Rates	First quarter 12 2nd ,, 6 3rd ,, 15 4th ,, 25 — 58, at	5 0	14 10 0	. .	. .	. .
Allowing and signing rates	Seven rates in the year	2 0	0 14 0	. .	. .	. .
			24 0 0		4 17 0	

	£	s.	d.
Expenses of keeping in gaol for one month each, 5 prisoners, at 1s. per day	7	10	0
Conveyance to gaol of 5 prisoners, 10 miles, at 1s. per mile	2	10	0
Subsistence of 5 prisoners one day each, at 9d.	0	3	9
Ditto for 5 constables, at 1s.	0	5	0
Expenses to the County	10	8	9
Fines	4	17	0
Loss to County	£5	11	9

FEES.	s.	d.
Information	1	0
Summons and copy	2	0
Conviction	2	0
Commitment	1	0
Constable's { Serving	1	0
Constable's { Attending	1	0
Total	8	0

I have set down all the cases with full fees as if a commitment was charged in each case, but have allowed nothing for distress warrants, recognizances, and signing affidavits for prisoners, &c. &c.

Note.—The fees increasing the sum beyond the ability of the offender often prevents payment.

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The difference of Expenses of the proposed Plan for the same Cases as stated on the other side.

Offence, &c.	Summonses for Principals 6*d.* each.	Summonses for Witnesses, two in each Case, at 3*d.* each.	Fines.	
	£. *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	
Fifteen assaults	0 8 6	0 8 6	{ 1 2 0 / 0 8 0 }	5 committed in default.
Seven under Peel's Act	0 3 6	0 3 6	{ 1 7 0 / 2 0 0 known	. . / . .
Rates	1 9 0	. .	. .	. .
For allowing and signing rate-book	7 rates	. .	. .	. .
	2 1 0	0 12 0	4 17 0	

	£ *s.* *d.*
Expenses for keep of five prisoners in gaol, one month each, at 1*s.* per day	7 10 0
Conveyance of five prisoners to gaol, ten miles each, at 3*d.* per mile each	0 12 6
Subsistence of five prisoners on road to gaol, at 6*d.* per day	0 2 6
Total Expenses of the County	8 5 0
Fines	4 17 0
Total Costs to County	£3 8 0

As the costs would be reduced from seven shillings to one in each case, the fines might be increased, and still the defendant be able to pay, reducing the consequent expenses on commitment, and increasing the sums received for fines.

I directed the vestry clerk to obtain the constable's bill I referred to under the head of "Constable." He brought me the enclosed copy, which he made and signed, the overseer of Horsell not wishing to give the original. I regret it; being in his own hand-writing, would have shown how little he was qualified for the office of constable. The following, under the head "Constable," was by mistake left out; it should have continued thus:—

In every parish rate-book that I have seen there is a large charge for law expenses, made up of the following items: viz. "Solicitor's fees," "Justice's clerk's fees," "Constable's fees."

Generally, when any case is taken to a petty bench or superior court, all the expenses attending the case are charged in one sum, as law expenses, so that the constable receives considerably more than what appears in the parish books as "Constable's charges." This will be seen by referring to the First Report of the Poor-Law Commissioners, page 245, where a long list of law charges are given. At first it might be thought the charges in the list were for the overseer's loss of time, but the ninth article will prove to the contrary, viz., "Backing warrants, &c.," which shows a constable was employed. Again, the first item, which is often repeated, and always at the same charge of "five shillings," explains itself, viz.:

	s.	
Information . .	1	Clerk's fees.
Summons . .	2	
Serving summons .	1	Constable's fees.
Attending to prove ditto	1	
Total .	5*s.*	

So that out of "five shillings" charges three went to the justice's clerk and two to the constable, and the poor person, who perhaps was summoned for not paying one shilling or two for rates, had five shillings added to his debt, already too large for him to pay, and the county the expense of keeping him in gaol, in default of goods to meet a distress. Or, if time is given to pay the sum, the overseer pays the sum from the rates at once, and gets it back at the expiration of the time given to the poor person, but may forget to carry the sum for fees back to the credit of the rate-payers. Take another charge in the same list, viz., June 16th, Examination of William Bruck, (charged) "eight shillings." Dissect the charge, and it will appear as follows:

	s.	
Information	1	Justice's clerk's fees.
Summonses and copy . .	2	
Examination as to settlement .	3	Constable's fees.
Serving summons . . .	1	
Attending to prove ditto . .	1	
Total .	8*s.*	

Under the head of Conveying Prisoners to Gaol some calculations were forgotten to be sent. I now send them in a separate paper, marked L. G.

With respect to forms I will mention a circumstance that has just taken place here, which must, I think, show the necessity of some alteration. On the property of Edward Allen, Esq., Higham's Lodge, an estate nearly joining my own, Jasper Smith, Richard Russell, and others at present unknown, were caught in the act of cutting down an ornamental holly. They escaped at the time from the gardener. I know both of them to be very bad characters; Jasper Smith was convicted of

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cutting down direction-posts two or three years back. The road-book has an entry of "Five pounds, Jasper Smith, for damage to the posts." He was also convicted of damaging trees some few years ago, and fined, but I cannot obtain a copy of the conviction; it appears not to have been returned. He acknowledged before me, when brought up for another offence, having been convicted in both cases. But, not being able to obtain a copy of the convictions, when brought before me I must deal with him as a first conviction. By the plan I have proposed this would be obviated entirely, as a reference to the visiting justice's return would show the fact, and every particular of the case. Of course the return should be considered legal evidence of a conviction having taken place. If reference were made to the form of a first and second conviction, under the Act referring to the above cases, few persons would be surprised at the convictions not always being returned. One general form for summonses, warrants, and convictions, &c., &c., might easily be drawn, which would be applicable to every case. One of the advantages of the visiting justices' return would be, that Government might at once see the state of crime through the whole country, or any particular parish; an information which they can only at present gain by very defective data. I am sure not one-half of the convictions at present are ever returned.

As to corporate towns, the mayor or burgess who takes the chair at their benches should keep and sign a return the same as the visiting justices. Their clerk should be paid by salary, and the present fees done away with. This plan might be easily adapted to them, as the mayor or burgesses residing in the town are always present. But to adapt it to other benches would be impossible, for the same reason that many persons, when convicted, and time given to pay the fine, may escape altogether; for the magistrates present at the said conviction may not attend again for many months. The clerk has been paid his fees, and who is to look after the rest, should it even be thought of again? It may at present appear, to carry this plan into effect, a large number of visiting justices would be required; but such would not be the case. The saving of fees, and, consequently, the reduction of commitments in default of payment, explained in documents sent.

The saving in conveying prisoners to gaol, and the reduction of constables' charges, would leave a large balance in favour of the county, after paying the visiting justice a salary which would secure the services of independent gentlemen well acquainted with the habits and characters of a rural population.

That something must be done is I know the opinion of many resident country gentlemen, who feel that when that excellent measure the new Poor Law shall be in full force, at the same time that it raises the honest labourer, it will drive the idle and worthless to live by crime, when he finds relief stopped to him.

I will trespass no longer on your time, except by saying I hope the plan I have proposed may meet with the strictest scrutiny, and that I may have an opportunity of answering every reasonable objection, and that, by the way I do so, it may stand or fall. I of course only consider what I have stated as an outline, but am prepared to develop it further on any point required.

I have the honour to be, Gentlemen, your obedient servant,

THOS. DYER.

Papers referred to in Page 110.

[L. G.]

COMPARISON OF THE EXPENSES OF CONVEYING TWENTY PRISONERS TO GAOL, A DISTANCE OF FIFTEEN MILES, ON THE PRESENT, PROPOSED, AND MILITARY METHOD.

The Expense of conveying twenty, one at a time.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
One prisoner 15 miles at 1s. per mile	0	15	0	To constable for conducting one prisoner 15 miles at 3d. per mile	0	3	9	One N. C. officer and two privates as an escort, at 1s. per day for marching money each	0	3	0
Subsistence for prisoner at 9d. per day	0	0	9	Subsistence for prisoner at 6d. per day	0	0	6	Subsistence for prisoner at 6d. per day	0	0	6
Ditto for constable at 1s.	0	1	0								
Total for one prisoner	0	16	9	Total for one prisoner	0	4	3	Total for one prisoner	0	3	6
Ditto for 20 ditto.	16	15	0	Ditto for 20 ditto	4	5	0	Ditto for 20 ditto.	3	10	0

The Expense of conveying twenty, two at a time.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
First prisoner at 1s. per mile	0	15	0	Constable with two prisoners, 15 miles at 3d. per mile	0	3	9	One N. C. officer and two privates as an escort, at 1s. each, marching money	0	3	0
Second at 3d. per mile	0	3	9	Subsistence for two prisoners at 6d. each	0	1	0	Subsistence for two prisoners at 6d. each	0	1	0
Subsistence for two prisoners at 9d. each	0	1	6								
Subsistence for constable at 1s. per day	0	1	0								
Total for two prisoners	1	1	3	Total for two prisoners	0	4	9	Total for two prisoners	0	4	0
Ditto for 20 ditto.	10	12	6	Ditto for 20 ditto.	2	7	6	Ditto for 20 ditto	2	0	0

The Expense of conveying twenty, three at a time.

	£.	s.	d.		£.	s.	d.		£.	s.	d.
First prisoner at 1s. per mile	0	15	0	Two constables at 3d. per mile each	0	7	6	One N. C. officer and four privates as escort, at 1s. per day each	0	5	0
Two at 3d. per mile each	0	7	6	Subsistence for three prisoners, 6d. each	0	1	6	Subsistence for three prisoners, at 6d. each	0	1	6
Subsistence for prisoners, three at 9d. each	0	2	3								
Ditto constable 1s., assistant 2s.	0	3	0								
Total for three prisoners	1	7	9	Total for three prisoners	0	9	0	Total for three prisoners	0	6	6
Total for 20 ditto	9	5	0	Ditto for 20 ditto	3	0	0	Ditto for 20 ditto	2	3	4

The mode of conveying military prisoners is by an escort: the non-commissioned officer and each private are allowed one shilling per day each for marching money, the prisoner sixpence per day for subsistence. What I propose is, to allow the constables threepence a mile extra pay when so employed, the prisoner the same as a military prisoner.

(Copy of the Horsell Constable's Bill.)

1835. The Constable of Horsell,

To William Cox.

		£.	s.	d.
Oct. 20th.	Supper and breakfast for three prisoners	0	1	6
	For liquor and eatables and beds for prisoners, and two assistants and constable	1	10	0
		£1	11	6
Oct. 20th.	For the constable apprehending three prisoners	0	5	0
	For being with them one day	0	4	0
	For receiving their money	0	2	0
	For two assistants, night	0	5	0
	And one, one day	0	2	0
	For attending the bench	0	4	0
		£1	2	0

Communication from T. Fawcett, *Esq., Sedbergh, Yorkshire.*

Sedbergh is 75 miles from Wakefield house of correction. If a man be fined 5*s.* for any offence under Peel's Act, and cannot pay, he has to be taken 75 miles.

If a law was passed that such offender might be committed to the *nearest* house of correction, (10 miles to Kendal,) and a duplicate of the warrant of commitment sent to Wakefield, and let Kendal charge Wakefield with the expenses of prisoners, it would be a saving in many instances.

Communication from E. H. Cayley, *Esq., Yorkshire.*

By Act of Parliament the Judges of assize are authorized to allow the costs attending the apprehension of persons guilty of various offences—among others, horse-stealing, sheep-stealing, house-breaking, &c. It frequently happens that persons are now tried at the general quarter sessions for the above offences, and sentenced to transportation for life; but the court has no power to allow the costs of apprehension. When the Act of Parliament in question passed, the quarter sessions did not try such offences. It would be desirable that the magistrates in quarter sessions should have the like power as the Judges at the assizes.

Extract from the Return of Sir John Dashwood King, *Bart., Halton House, Bucks.*

Some defined regular rules would improve the system, magistrates' orders differing, and constables taking great liberties; namely, walking their prisoners to gaol after having been allowed a conveyance by order of the magistrate.

Communication from the Magistrates of Wells, Somerset.

The only point on which the magistrates feel the necessity of making any observation is that relating to expenses *before* commitment; considerable expense is frequently incurred in the apprehension and custody of prisoners, for which no allowance can be at present made. If the magistrates had the power of remunerating prosecutors and constables in all cases, they feel satisfied that it would tend materially to further the ends of justice, and be ultimately a saving, as, in the few instances where the expenses antecedent to commitment are allowed by the Judge of assize, he is liable to imposition from the impossibility of his being acquainted with all the circumstances, but which would be fully known to the committing magistrate.

Communication from the Rev. W. R. Hay, *and Magistrates, Rochdale.*

As the constables are paid by the inhabitants of the several townships by whom they are employed, we make them no allowance for the apprehension of prisoners, but they are paid out of the county rates for conveying such as are committed to Lancaster and the New Bailey at Manchester, after the rate of 6*d.* a mile, besides 1*s.* per day each for their maintenance while in custody in the lock-ups here. There are few associations for the prosecution of felons in this neighbourhood, and *they have almost become obsolete*, as the expenses in conducting prosecutions are allowed by the Judges of assize and the magistrates at the quarter sessions, the same being taxed by the proper officers of the court.

We are not aware that the police department in this division could be more economically conducted than it is at the present time.

Communication from P. Townley, *Esq.*

It is not usual to make any allowance to constables, prosecutors, or witnesses attending before the magistrates in cases of felony *before* commitment, the court of quarter sessions at Preston having refused to allow them out of the county rate, consequently the magistrate does not certify such expenses to the quarter sessions or assizes. When the prosecutors are able, this expense falls upon them; but in many cases prosecutors are reluctant to incur this expense.

Communication from J. P. B. Chichester, *Esq., M.P., and Magistrates, Barnstaple.*

There is no document under which the justices here act relative to any allowance to constables who apprehend prisoners, neither is there any fixed scale or rate of allowance in respect of such duties; nor (except in cases where such constables are also witnesses, or *specially* appointed to execute warrants to search or apprehend) do they hardly ever receive any compensation for the performance of such duties, it being conceived that, however hard it may seem, they are bound, *ex officio*, to discharge them gratuitously. In some parishes permanent constables are appointed, with small salaries, payable out of the parochial rates, and it would be well, perhaps, if such appointments were more general.

With regard to the maintenance of prisoners after commitment, and their conveyance to prison, there is a contract in existence between the county treasurer and Thomas Seldon, of this town, carrier, whereby the latter undertakes to convey all prisoners brought to him from hence to Exeter (40 miles) at 12*s.* a head; and, in the event of their being committed at a distant place (Comb Martin, for instance), he is to receive an additional allowance of 9*d.* per mile for conveyance from the place of commitment to Barnstaple. The above sums include the maintenance of the prisoners between their committal and arrival at the county prisons. The magistrates cannot supply you with a copy of this contract, it being, they believe, deposited with the clerk of the peace at Exeter.

The introduction of the system of contracting for the conveyance of prisoners has been productive of an immense saving to this county, and the magistrates of this division reflect with satisfaction on the fact that it originated with them, although, of course, the plan on which they at first acted has undergone considerable improvement; the sum now paid is, no doubt, incapable of further reduction, being such as no man in this neighbourhood could consent to receive but Mr. Seldon; he, however, is enabled to do so, in consequence of having common stage waggons plying between Barnstaple and Exeter every day.

Communication from W. Nation, *Esq., and Magistrates, Exeter.*

With reference to "Improvements connected with the Expenditure in respect of search, apprehension, examination, &c. &c. &c., of Prisoners, and other heads of expenditure," it has occurred to some of the magistrates that it would be desirable, if possible, to provide a lock-up house, or some assigned place of confinement, in each parish, for the safe custody of prisoners, &c., previously to their being brought before magistrates for examination; the practice at present being (in the absence of such places of safe custody) to take the prisoners, when apprehended, to a public house, whereby much expense is incurred, and, from insecurity or connivance, they may not unfrequently escape.

With regard to constables, we submit to the consideration of the Board whether some regulations might not be desirable, with a view to the more effectual discharge of their duties. As the law at present stands, constables would be allowed their expenses from the time of *commitment;* but, as there appears to be no mode of reimbursing them for any personal trouble they take in *apprehending* prisoners (although for money actually out of pocket they may perhaps be reimbursed by the parish), the duty is frequently reluctantly done, and sometimes, it is to be feared, altogether neglected.

Communication from J. Carpenter, *Esq., and Magistrates, Tavistock.*

We believe there is no specific scale of allowance to constables and others in respect of the apprehension, maintenance, or conveyance of prisoners. The 7 Geo. IV. cap. 64, sec. 28, provides for a remuneration to constables as well as other persons who may have been active in the apprehension of certain offenders mentioned therein, the quantum of which is generally named in a certificate from the committing magistrates, which is laid before the judge at the assizes or the magistrates at sessions, and by them ordered to be paid out of the county rates; but in all other cases of felony the constables are not allowed a farthing for loss of time and expenses incurred in apprehending the offenders, unless they act under a warrant, in which case an allowance is made, as above mentioned: this seems extremely hard; for it frequently happens that constables are called upon to pursue felons by night, or at other times, when if they were to wait for a warrant the offenders would escape; they therefore, to prevent this, incur expenses and sacrifice their time, and, after all, receive no remuneration. In cases over which magistrates in petty sessions have a summary jurisdiction, namely, assaults, &c., it has been contended by some magistrates that the constables are bound to serve all summonses, and execute warrants, and return the same, by virtue of their office, and that they cannot be allowed anything for doing this within the parishes for which they are appointed; and this principle is acted upon in the division of Tavistock. The prisoners of every description who are committed from this division to the gaol or bridewell are sent from here to Plymouth, and taken from thence by the contractor to Exeter, so that the expense of each is about £1, which is paid out of the county rates. For the maintenance of prisoners, both before and after commitment, the constables are not allowed anything, and we should be obliged if you could inform us whether there is any law to authorize the magistrates to make an allowance in these cases.

Under the head "Vagrancy," in the magistrate's clerk's table of fees, it will be seen that there is a charge for informations, &c., but as yet the clerks have never been able to get a farthing for all they do in these cases; the sessions refuse to pay, and so do the parishes.

Communication from T. Northmore, *Esq., Cleve, Exeter.*

With respect to the allowance to constables I have to observe that cases frequently occur of constables attending before me with felons whom they have taken several miles off, and sometimes kept in custody for a night, for which no remuneration can be made them; and, as my residence is within a mile and a half of the county prison, there are no means of allowing such expenses as the constable may have incurred.

A case lately occurred of a constable apprehending a felon late on Saturday night, whom he kept in custody until the Monday following, and then brought him several miles to my house; the felon was committed to prison, and the constable was many shillings out of pocket, in maintaining and guarding the prisoner, without any means of reimbursement.

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Communication from the Venerable R. H. Froud, *Archdeacon of Totness.*

I am not in possession of any documents relative to allowances to constables, &c., nor am I aware of any fixed rate under any constituted authority for regulating such charges in this division.

For some years the conveyance of prisoners under a magistrate's warrant from various parts of this district was contracted for by public tenders, and I believe the practice still prevails in the neighbourhood of some magistrates with whom I act; but for such duties in this part of the hundreds of Coleridge and Hanborough no tender has been recently put in. Single prisoners are taken from my house to Exeter, a distance of 26 miles, under ordinary circumstances, for £1. 2*s.*; but I am occasionally called on to treat cases specially, either by increasing or diminishing such allowance.

With respect to county expenditure under this head, it is my opinion that great mischief has followed an order of sessions for withholding rewards for apprehending persons who come under the denominations of *idle, disorderly.* During the last three years I do not recollect a single instance of any one being voluntarily apprehended by a constable or other person on this ground, in this part of the county of Devon, although it has been infested with gipsies roaming about in gangs of twenty or thirty persons, and most commonly having with them many horses, for the subsistence of which they have no apparent means. Common vagrants have, during that time, also increased to a great degree, and I feel sure that any benefit derived by the inhabitants of country parishes from a diminution of county rates under this head has been far more than counterbalanced by the frauds constantly practised on them, and the secret plunder of their property.

Communication from the Rev. E. S. Thurlow, *Durham.*

I know of no document upon which I act relative to allowances to constables in respect of the apprehension and maintenance of prisoners. They are generally paid *by the parties employing them, at the rate of* 3*s. per day for loss of time (being the usual wages of this part of the country for men in their stations of life)*, and 1*s.* for serving each warrant or summons.

Communication from C. Saville Onley, *Esq., and Magistrates of South Hinckford Division, Essex.*

A principal cause of expenditure on account of searching for, apprehending, examining, conveying, and maintaining prisoners, is the keeping them at a great expense, say 30*s.* a-week per head, before trial; the expense of the trial in fees, &c., and for the journeys and attendance of prosecutors and witnesses, is also considerable. I will just beg leave to particularize one case which went for trial from this division at the last assizes; it appeared to the committing magistrate to be a case of an aggravated nature, committed by persons, several of whom had been repeatedly amenable to justice in different ways, and the assizes coming before the quarter sessions, they were sent thither under a charge of assaulting a constable in the execution of his office.

The Particulars referred to.

	Expenses borne by the Prosecutor. £.	s.	d.	Expenses borne by the County. £.	s.	d.
Rex v. Richardson and others.—Constable one day apprehending and taking before a Justice four persons	0	5	0			
Two assistants, 2*s.* 6*d.* each	0	5	0			
Constable conveying two of them to gaol, 12 miles at 1*s.* 2*d.*				0	14	0
Constable's time 5*s.* Assistant 2*s.* 6*d.*				0	7	6
The like charges for the two others committed afterwards				1	1	6
Clerk's fees	1	5	0			
Keep of prisoners, 3 weeks, at 30*s.* a-week each, considering outlay for building gaol, salaries to governor and officers, maintenance, &c. £18, but say				9	0	0
Solicitor's bill (including fees to counsel and clerk £2 4*s.* 6*d.*)	5	14	6	3	5	6
Paid for subpœna, swearing witnesses, indictment, &c.				3	3	10
Attendance of five witnesses, 2 days each, came 13 miles				4	12	6
	£7	9	6	22	4	10
				7	9	6
			£	29	14	4

The prisoners were convicted, and sentenced to a fortnight's imprisonment, and to this account might be added something for the loss of time and expenses of the High Sheriff and his officers, and the grand and petty jury attending the assizes. And if this had been a felony, the first three items borne by the prosecutor, and perhaps something more by way of compensation for the witnesses attending before the committing magistrate, would have been a charge upon the county.

Under these circumstances we cannot help thinking that the machinery for imprisoning and trying prisoners for misdemeanors and petty felonies is too costly; and perhaps this question may be asked, why cannot they be tried before justices and a *jury* in petty sessions? The justices have, and for centuries have had, power to commit for two years, (for not finding sureties of the peace,) and to fine to the extent of £100 under the excise laws; these powers are scarcely ever, if ever, abused, and why should they not be intrusted with the trial of these petty offences? It seems advisable on the score of economy, but there would be other advantages; the trial would take place almost immediately after the commission of the offence, and the innocent might never be sent to prison at all. The expense would be something of this sort:—

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	£.	s.	d.
Information, or call it indictment	0	3	6
Summoning jury	0	5	0
Swearing witnesses, at 1*s.* (three upon an average)	0	3	0
Remuneration to jury	0	12	0
Conviction or acquittal	0	10	0
Constable apprehending, &c., varying from 5*s.* to £5., say	2	10	0
Commitment in execution, conveyance, &c., if convicted	1	0	0
Prosecutor and witnesses, three at 2*s.* 6*d.*	0	7	6
Order for expenses on the county	0	2	0
	£5	13	0

Here would be a saving of 300 per cent. to the county; the grand jury would be dispensed with, and the petty jury remunerated; an ambulatory Judge could effect nothing like this, and would he do the work better? We do not find the business of the petty sessions very pressing; the most troublesome part of our duty consists of applications to us out of sessions, when we have not the assistance of a brother magistrate or of our clerk, so that there would be ample time to execute the proposed additional duty.

Juries of this sort could hardly be called an experiment, if the now obsolete leet juries, the coroner's juries, the juries under commissions of sewers, and some others, are taken into consideration.

Summary convictions are attended with an expense of from 10*s.* to 15*s.* each, divisible between the constable and the clerk, which is usually paid by the defendant; but if he goes to prison in default, the complainant pays it, and then there is an expense to the county of about 15*s.* for the conveyance to prison.

The case I have mentioned as having occurred at the last assizes is by no means an extraordinary one, for another case went from this division the assizes before, (Rex *v.* Humphreys,) in which the prisoner pleaded guilty, and was immediately discharged, and the expenses of the commitment and trial borne by the county (without the conveyance to gaol and the maintenance) amounted to £40. 18*s.* 6*d.*: in neither of these cases was there any expense of any consequence for the apprehension of the prisoners, which often forms a heavy item in the charge upon the county; we believe an expense of £20 is often incurred in an unsuccessful attempt to apprehend a prisoner, which, as such, would not be allowed, or rather could not be ordered, because the order can only be made at the trial; but at length the prisoner comes back of his own accord, and then the £20 are charged; this we think might be altered without detriment.

The chief constable of this division claims fees of 1*s.* 6*d.* for the delivery of every precept to a parish officer, such as for appointing overseers, constables, assessors, and hitherto surveyors; and also for the return of jury lists, lunatics, and perhaps some other matters, which are borne by the parishes; and he has a poundage of 1*d.* for collecting the county rate, and is allowed 1*s.* per mile for travelling to the quarter sessions, now twice a year, to pay it; which two latter items are borne by the county. His authority is a recommendation of quarter sessions, made, we think, about twenty years ago, of which it is not in our power to send a copy; and he has lately been called upon to take charge of the special constables at the elections, for which he receives from the county a guinea a day.

Coroners enter upon preliminary inquiries in cases of murder and manslaughter not very dissimilar from those of magistrates in other criminal cases; and it not unfrequently happens that, when the offender is unknown to the coroner's jury, the magistrates have to take up the matter *de novo*, by which a double expense devolves on the county; and, if magistrates were to take up the inquiry in the first instance, the expense would in general be less than that incurred by the coroner, and the necessity of a second inquiry altogether avoided. The case mentioned above (Rex *v.* Humphreys) was in point: the verdict of the coroner's jury was "manslaughter, offender unknown;" for which inquiry by the coroner his charge upon the county was about £3, besides some considerable expense to the parish; this in the result was entirely thrown away, for, on fresh evidence transpiring, the coroner could not further interfere, and the justices had to take the matter up, and the county was put to a considerable further expense.

We are not sufficiently acquainted with any other heads of county expenditure to enable us to suggest any other improvement than is here stated; the parties who attend on the committee of county accounts at Chelmsford would be the proper persons to give an answer in this respect.

(Signed) CHARLES SAVILLE ONLEY,
Chairman Petty Sessions.

Communication from T. R. DIMSDALE, *Esq., Herts.*

It would tend to diminish the county rate if all repairs to buildings, bridges, &c., and other matters connected with the county expenditure, were done by tender, the magistrates not being compelled to accept the lowest.

There is a police force at Essendon, and also one at Northaw, both belonging to the Barnet Association for the Prosecution of Felons, which does considerable good, and, if it was established throughout the county generally, would, we think, diminish the county rate.

Communication from Major-General MARRIOTT, *Worcester.*

In considering the system of county rates, with a view to its amelioration, various indirect as well as direct subjects must be attended to.

Although the county magistrates have *ostensibly* the control of these rates, they are merely nominally responsible for great part of their expenditure. It will be necessary to consider how this expenditure is acted upon by *Parliament*, by *Government*, by the *Judges of Assize*, by the *Court of Quarter Sessions*, by *Justices in Petty Sessions*, &c.

1*st. By Parliament.*—In throwing burdens annually upon the county rates without due consideration

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whether they should not rather be borne by the nation at large, and whether they should be permanent, or only temporary. I will instance the 9 Geo. IV. c. 41, s. 36, where every parish (15,635 in number) is called upon to make an *annual* return of insane persons. Besides the expense to parishes, the county rates are burdened with the payment for precepts, forms of return, warrants, medical certificates, summonses for overseers to attend petty sessions, &c., with large fees to the clerk of the peace for making up the returns, &c.

The Act was passed in 1828, and until this time (1835) these returns, although sent in and paid for, (probably one hundred thousand pounds in the eight years,) have never once, in the county of Worcester, been called for or used, and are kept as lumber in the office of the clerk of the peace.

These returns will in future be of no use, as pauper lunatics will now be under the protection of the Poor-Law Commissioners.

2*d. By Government.*—Numerous returns are annually called for by Government, (as well as by Parliament,) which make a very considerable addition to the county rates; all the forms (through petty sessions, overseers, and high constables) must be gone through, and then an *ad libitum* charge made in the cravings of the clerk of the peace, which the magistrates have no power of controlling.

3*d. By Judges at Assizes.*—It is often asked why a trial at the assizes, of the same nature and circumstances, should cost the county *double* the expense of one tried at the quarter sessions; and why attorneys are so anxious to get it tried at the former rather than at the latter? Both may receive the same answer.

It will appear evident from a perusal of the 7 Geo. IV. c. 64, comparing sec. 22 with sec. 26, that "the expenses of prosecutions for felony, whether at assizes or quarter sessions, shall be ascertained by the proper officer of the court, subject, nevertheless, to the regulations to be established in the manner hereafter mentioned;" viz. by sec. 26:—"The justices of the peace of any county, &c., shall establish regulations for the costs, expenses, &c., which regulations, having received the approbation and signature of one justice of gaol delivery, shall be *binding on all persons.*" No distinction is here made (as in sec. 28) between courts of assize and of quarter sessions, neither is the regulation to be binding upon the latter only.

In confirming these regulations, or tables of fees, the judges have invariably struck out "*assizes,*" and confirmed the fees for the quarter sessions only; and it is a query whether this limitation does not render the table illegal, even for the quarter sessions. The consequence is, that at the assizes, there being no table of fees, the attorneys charge what they please, and "*the officer of the court*" having no rule to guide him, and no time for inquiry, is *obliged* to pass the bills as quickly as brought to him; and the authority of the judge being thus given, the order must be paid by the county treasurer without an opportunity of its correctness being inquired into by the magistrates.

Had the judge even time, it would be an ungracious thing to require him to sit down and curtail the fees and emoluments in the junior departments of a profession which had raised him to the Bench. It may, therefore, be worthy of consideration whether these fees should not be left to be confirmed from time to time by a secretary of state. Economy in this department will be the more necessary should part of these expenses be thrown upon the national fund; for those who do not hesitate to draw largely on the county purse will feel less compunction to dip their fingers into a deeper one.

4*th. By Quarter Sessions.*—The control nominally in the magistrates at the quarter sessions is almost nugatory by no one having any *personal* responsibility.

A measure (sometimes a job) is proposed or supported by some influential magistrate, who carries with him many others by his plausibility and eloquence; and although illegality, extravagance, or impropriety, may be urged against it, every argument must submit to a *majority of voices;* and the blame, if any, and responsibility, are divided amongst so many, that no efficient control over the county expenditure can be expected whilst the court is constituted as at present.

The general business of the county is transacted by less than a dozen *working* magistrates, who are generally well conversant with its affairs and interests; but when any measure is proposed requiring a notice a canvass takes place, and seldom fewer than sixty magistrates appear, most of whom depart the moment they have given their votes.

5*th. By the Clerk of the Peace.*—In many counties, as in Worcestershire, the clerk of the peace (who is appointed by the Lord Lieutenant) does the duty by deputy; and it is generally understood that the latter situation is given to the highest bidder amongst respectable solicitors. It is, therefore, natural for the deputy to repay himself by making as much business (for which he is paid by the county) as possible, thus setting his duty at variance with his interest; but in many counties the deputy contrives to get himself nominated as "*solicitor* to the county" besides—thus making his duty and interest *doubly* at variance, for it is very apparent that, as *officer of the court,* he ought to be a guard and check upon the county solicitor in auditing and curtailing all extraneous expenses. No wonder then that a suit in Chancery for bridge and other trusts, or in the common courts for other purposes, should be interminable; and no wonder that the clerk of the peace's bill of cravings, which in 1824 was £101 6*s.* 7*d.*, should in the year 1834 be increased to £567 5*s.* 1*d.*, *exclusive* of £130 16*s.* 4*d.* under the Reform Act. The above sums are paid *by the county,* and do not include the "fees of court" paid by suitors on appeals or trials.

I could refer to various instances where the duty and interest of the deputy clerk of the peace were at variance, but need only mention the Act (local) of Parliament for the erection of "new county courts," where £25,000 was authorized to be borrowed in sums of £100: upon which, at their first issue, the county was to pay the clerk of the peace a fee of £1, and upon every subsequent *transfer* the fee of 10*s.* for a period of 20 years.

The exertions made to enforce this clause very nearly prevented the county from advantageously borrowing the *whole* sum from the Exchequer-Bill Loan Office; and actually did prevent it for a larger sum than £19,000, leaving a floating debt of £6,000 upon the county, contrary both to the letter and spirit of the Local Act.

The obvious remedy, so far as relates to charges made by the clerk of the peace *upon the county,* is to substitute a handsome fixed *salary* in lieu of all claims and fees; and to make an enactment that no clerk of the peace, his deputy, or the *partner* of either, shall ever be appointed solicitor to the same county.

I do not blame individuals, but the system, for it is natural that an officer buying his situation will make the most of it.

6*th. By Petty Sessions.*—The fees payable directly from the county rates to the clerks of petty sessions are few, but those from parishes (out of the poor's rate) and by individuals are very considerable, and should, from time to time, be revised by the quarter sessions, and confirmed by a

secretary of state. At present they do not appear high as compared with those at quarter sessions; for instance, 1*s.* 6*d.* is paid to the magistrates' clerk for a *conviction*, frequently of great length, drawn out upon parchment, with the trouble of obtaining the magistrates' signature and of sending it to the clerk of the peace, who immediately charges the county with 3*s.* 4*d.* for *filing* (*i. e.* running a string through) it; so that the magistrates, who, in trifling matters, (assaults, &c.,) would order a fine of 1*s.*, are obliged to add 3*s.* 4*d.* to cover the expense of *filing*.

The principal expenditure from the county rates before magistrates *out of quarter sessions* is for the apprehension, detention, and commitment of prisoners. They fall much heavier when petty sessions (as in many rural districts) are not held in cities, boroughs, or large towns having *lock-up* houses, where prisoners might be kept till brought before the magistrates, (frequently residing at a distance,) in which cases the constable is obliged to take them to an alehouse, where the expense is larger, and escape more easy; besides the opportunity of bribing, and compounding felonies, which is not unfrequent in such situations, under the specious plea of "making it up."

It would not only prove of public utility, but of economy, to erect, at the expense of the county, proper places of custody, with persons to look after them, at all stations where petty sessions are held. It would go far to decrease vagrancy, and consequent expense, were it possible to lock up sturdy beggars on bread and water for 24 or 36 hours, until they could be taken before a magistrate. The vigilance of the police, in cities and large towns, has driven the worst characters to infest small towns and villages, where, I am sorry to say, there is a *total want* of police or protection to property. In the market-town of Pershore (two parishes, with a population of 2,500 persons) the police force consists of two drunken cobblers, being the deputies of two nominal constables annually elected from the class of shopkeepers, &c.

It is much to be hoped that, as well for the county rates as the morals of the people, some parliamentary measure may soon be passed to remedy this evil in rural districts; but any enactment left *optional* (like the 3 and 4 Will. IV. c. 90), and not made imperative, however plausible, is sure to be of no avail. In any other part of the world, the large force of able-bodied military pensioners having from 9*d.* to 1*s.* per diem, and earning by labour from 10*s.* to 15*s.* per week, would be made available for police purposes. There are from 10 to 20 in most market-towns.

Under the head of *Petty Sessions* I must advert to a proposed measure of allowing counsel to prisoners, which, if carried into effect, will *force* upon the Legislature another, of consequence in the reduction of county rates, by a transfer of many trivial larcenies from the quarter to the petty sessions, either with or without juries.

From the prejudice against unpaid magistrates it may be requisite in large places and towns to have juries, which may be assembled without inconvenience; but in rural districts, perhaps, it may be worth the experiment to allow these offences to be dealt with in a summary manner before an *increased* bench of magistrates.

A great many offences are now subject to summary trial, sometimes before one, and in all cases before two magistrates, where the punishment is from six to twelve months' imprisonment, with *hard labour*. (See 7 and 8 Geo. IV., c. 30.)

In most cases of small larcenies the punishment at assizes or quarter sessions does not exceed one, three, or six months; and these might therefore be left to the discretion of a bench of three or more magistrates; especially as the publicity of trial in open court would tend to correct all possibility of exerting this power tyrannically, or in a harsh manner. A prisoner is now frequently confined in gaol three months before trial; and then, if *convicted*, punished with one month's hard labour, and sometimes less. These summary trials would not only relieve the county from so long a maintenance of the prisoner before trial, but would prevent contamination with hardened offenders; and, as the fear of immediate is always stronger than that of distant punishment, it would deter the juvenile and inexperienced from committing first offences.

A great many persons from humanity, but more from the fear of expense and a reluctance to appear in the courts of assize or quarter sessions, (especially females, whose property requires most protection,) are deterred from prosecuting in those courts, who would readily bring offenders to justice on a summary proceeding. Total escape from punishment only encourages young persons to persevere in crime. The time of the Judges is frequently trifled with in trying offences that might, without harm, be left to a single magistrate for investigation and punishment.

It may be difficult to particularize the class of offences in larceny, but some distinction appears necessary; whilst, as at present, a conviction for *two* separate larcenies of the most *trivial* nature subjects the prisoner to transportation *for life* equally with two of the most *brutal* kind.

High Constable and County Rates.—My early attention was drawn to this subject from finding great interest made for the appointment of high constable upon every vacancy, whilst in the county of Gloucester *nothing*, and in that of Worcester only one shilling per precept, was allowed him for the very responsible duty of collecting the county rates, under the following mode of proceeding:—

When the quarter sessions have determined the amount of rate required, a precept issues from the clerk of the peace to each high constable, directing him to levy so much in the pound ($\frac{1}{4}d.$ or $\frac{3}{4}d.$) upon each parish of his hundred, which is paid to him by the overseers from the poor's rates.

I soon found that no individual of the county, and few overseers of parishes, knew what each paid to the county rates; that, in general, the high constable sent a note, on loose paper, saying "send me so much for your quarter rate," which was immediately done, and this scrap was the only voucher for the payment. On comparing a variety of these vouchers with the precepts, I could not meet with one instance where it corresponded with any per centage ordered; and, upon investigation, it turned out that a variety of charges were added for postage, expense of collection, stamps, &c., which were paid by the parish, in addition to the county rate.

As it was not my purpose to criminate, but to amend, I procured a committee of magistrates to regulate the collection of the rates.

When each parish knew its own contribution, from a table directed to be published, a general complaint was made of being over-rated; and this led to a new valuation of the whole county.

This was effected in the first instance by each petty session deciding upon complaints; and subsequently by a magistrate from each "*division*" to adjust the valuations upon the whole county.

I beg to enclose a copy of the order of court, which has not been appealed against, and is generally approved.

The first column shows the amount at which each parish is assessed; and the subsequent columns the amount of $\frac{1}{4}d.$, $\frac{1}{2}d.$, $\frac{3}{4}d.$, and $1d.$ per centage upon the valuation; so that when the chairman has

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announced, in open court, the amount of rate, (again published in the newspapers,) all overseers know exactly what each *parish* has to contribute, and any *individual* (knowing his share of poor rate as $\frac{1}{10}$ or $\frac{1}{15}$) may easily ascertain the amount of his county rate.

The high constable is not allowed to receive anything *from parishes*, but is paid by the county one shilling for each precept issued by him to overseers, 5*s.* for his attendance at sessions, and 4*d.* per mile for travelling expenses.

I have been more minute in these details from finding that in many counties a total ignorance of the subject still prevails, even amongst the magistrates.

Respecting the *appeal* against county rates, I do not think much amendment is necessary in the present law; and, should more extensive powers be granted to the Commissioners under the Poor-Law Amendment Act (that powerful engine of the nation's domestic economy) to interfere in *assessing* (as well as expending) the *poor's rates*, nothing more just or equal can be made than to found the county rates upon *them*.

County Bridges.—The facility given under the 43 Geo. III., c. 59, s. 5, to throw hundred, parish, and other bridges upon the county, is daily felt, from the circumstance that to repair *thoroughly* an old bridge is attended with nearly the same expense as building a new one; by which latter means the burden is thrown *for ever* upon the county, which, in process of time, must have to repair almost all the bridges in the county; and it is contended that, where bridges are much used by the public, the county ought to repair them.

Where bridges have been endowed with revenues, from land, &c., for their repair, considerable difficulties arise. 1st. From the repair of the bridge being coupled with the repair of the parish church also. 2dly. From the practice of the *old feoffees* granting long leases of the lands upon nominal rents, so that the real and full value of them cannot be recovered without a long suit in Chancery. It is supposed that a remedy might be found for both these cases in a short Act of Parliament, enabling magistrates or arbitrators to settle the relative proportions between the church and the bridge finally; and by some summary mode (by jury or otherwise) of recovering possession of lands, the revenues of which have virtually been perverted from the purposes for which they were given.

Avonbank, near Pershore, 26th October, 1835. THOS. MARRIOTT, Maj. Genl.

Communication from the Magistrates of Stockton Petty Sessions, Durham.

The undersigned magistrates for the county of Durham, and acting together in petty sessions at Stockton, for the Stockton ward of this county, (the only petty sessions therein,) in reply to the queries of the Honourable the Commissioners for inquiring into the County Rates, &c., addressed to us individually, have the honour to transmit a book with this, which contains tables of all fees and allowances to magistrates' clerks and to constables, with the authority upon which such fees are allowed, and by which this petty session is governed.

Individual magistrates acting at their own homes throughout this district charge no fee.

With respect to the expenditure incurred in the search, apprehension, examination, conveyance, or maintenance of prisoners, a recent regulation of the quarter session at Durham on this subject has narrowed the allowances to such expenses as are indicated by the annexed extract.

But it may be remarked that there are considerable difficulties continually presenting themselves in consequence of the disallowance of expenses which constables and others have incurred in pursuing offenders, and tracing the circumstances and collecting evidence on which the charge may depend, and which the complainants may be utterly unable to defray, and to meet which magistrates have no funds at command.

By 7th Geo. IV. cap. 64, sec. 28, an allowance *may* be made to persons who have been active and instrumental in apprehending offenders; but the sessions grant the necessary order very reluctantly, and we do not recollect any case in which such remuneration has been obtained when offenders have been committed from hence.

We think that good would arise if some power, properly limited and defined, were intrusted to magistrates where, in the discharge of their duty, they find it necessary to put officers in motion for the above-named objects.

Communication from the Magistrates of Gateshead.

You request that we would suggest any improvement that may have occurred to us connected with the expenditure in respect of search, apprehension, examination, conveyance, or maintenance of prisoners. We observe that by an Act just passed, (5th and 6th Wm. IV. cap. 20, sec. 17,) in cases of commitment under the Assessed-Tax Acts for non-payment of duties, the Commissioners are authorized to adjudge the costs of apprehension and conveyance to prison, and to direct the prisoner to be detained until payment as well of such costs as of the duties in arrear. It occurs to us that a similar provision with respect to prisoners committed on summary convictions, or for want of sureties, would be useful. It not unfrequently happens that a prisoner is committed for nonpayment of a small penalty, or for want of sureties for the peace, which from a feeling of obstinacy he refuses to pay or provide; but on his arrival at the county prison at the city of Durham, fourteen miles distant from this place, the money is paid, or the sureties are produced, and the expense incurred by the county for conveyance is (in the case of a penalty) perhaps more than the amount for which the prisoner has been committed.

Communication from S. WILSON, *Esq., Middlesex.*

Paul's Chain, Doctors' Commons, 31st October, 1835.

In reply to your inquiries I beg to state that, as a magistrate of the county of Middlesex, I have never received, or had occasion to demand, any fees in the execution of the duties of my office,—the discharge of which by me is confined chiefly to the Sessions-houses, Clerkenwell and Westminster, on the days of the sessions, and attending the county courts.

As you have allowed me to make a suggestion, I take the liberty of stating a difficulty I have

experienced (in another county) arising from such circumstances as the following. I will trouble you with but one, though of frequent occurrence. Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

Upon inquiring into a charge of highway robbery it became necessary to employ *regular* officers to obtain information, and to discover the parties charged. In the course of ten days three prisoners were in custody, and the circumstantial evidence produced was of such a nature as to leave no doubt on my mind that the prisoners were guilty; but the night was so dark that no one could swear positively to the persons of the prisoners.

My brother magistrate concurred with me in thinking that the grand jury would throw out the bill, or that the jury would acquit, and that we should be putting the county to an unnecessary expense, and have the prisoners returned upon us ten times worse than they left us; we considered that we should be best discharging our duty by calling upon them to find bail, in hopes of finding better evidence.

The day after discharging them I had bills sent to my house by the police-officers for their expenses, and from the parish officers belonging to the cage where the prisoners had been confined pending their examination, *for their keep*.

These bills I had no means of discharging, except out of my own pocket; but had we committed them, acquitted or not, all these expenses would have been paid by the county, with considerable additions.

I think there should be some provision made, somewhere and somehow, to pay such reasonable expenses as any two magistrates may direct; otherwise it may tend to defeat the ends of justice, or may sometimes operate in inducing committals when it would be more desirable to call on the prisoners to find bail.

SAMUEL WILSON.

Communication from J. T. BARBER BEAUMONT, *Esq., Middlesex.*

County Fire Office, Regent-street, February, 1836.

Under the invitation in your circular of the 27th October, 1835, it has occurred to me that I might and perhaps ought to submit to you a few improvements which I think would materially lessen the county expenditure, while they produced other public benefits. They are the result of long experience at any rate, and, as they bear on points which are likely to come under the consideration of Parliament this session, I trust I shall be excused in offering them.

Imprisonment should be *solitary* and *short*.—I do not believe that a thief was ever reformed or deterred through the effects of a long-protracted imprisonment. When a culprit goes to gaol for the first time he is bowed down with shame and sorrow, and for a week or so sincerely repents; but his grief gradually wears off, and in the end he becomes more than reconciled to having the necessaries of life provided for him without care on his part, and to the listlessness of a prison life. Animated nature wonderfully bends to habit and necessity. With all the money that has been of late years lavished in providing schoolmasters and trademasters and chaplains for thieves, I doubt whether there has ever been a decent scholar, a good workman, or an honest man, taught and turned out from a communion of thieves. The prison-discipline gentlemen have classified them, and multiplied buildings and appointments and salaries for them, regardless of expense, and in the result they have, more than all, multiplied thieves. Thanks to the silent system, a stop is at length put to the committal of depredations for the avowed object of obtaining a committal to prison. On receiving sentence prisoners no longer ask for "an additional month or two as a favour, just to carry them over the winter." The silent system is a bitter pill to them,—the most wholesome one they have yet tasted; still their cure is incomplete. The language of the eyes is still free for their use; they have the solace of finding themselves in the midst of their fellows, and, worst of all, the eye-acquaintances formed in prison will fasten on them when set free; if they do not persuade them to unite for future depredations, the daring and rapacious will be sure to attack any fellow-prisoner who may get into honest employment, for a share of his earnings or of his master's property. The remedy for all this, and for all the other evils of a communion of thieves, is simple and easy. Carry the classification system onward to perfection; make every man or boy a class in himself; give each a separate cell; keep each in strict solitude, out of the sight of his fellows, and on bread and water only, for a week, and towards the end of it a whipping, and the next day his discharge; and, depend on it, he will go away more repentant, more afraid of a return to prison, and more inclined to seek honest means of livelihood, than offenders have of late years been accustomed to be after six months' imprisonment. I would give petty depredators three chances of this kind, doubling the date of punishment on a second conviction, and trebling it on a third, if all these attempts to amend him failed; or, upon grave offences, I would look mainly to the protection of the public from his future depredations, and to compelling him to defray his expenses by his labour. Transportation for short terms unsettles convicts with schemes for returning to their former haunts and practices. If the term be extended to fourteen years, it depresses such expectations. They naturally suppose that their old companions will, before the end of such a term, be dispersed, or have forgotten them, and they turn their minds to establishing themselves advantageously in their new country.

Solitary imprisonment recommended.

Food.

Whipping.

Petty depredators.

Transports

Juvenile Depredators and summary Correction.—The wise of all ages agree that criminality should be punished in its beginnings, but the laws of England are strangely opposed to that timely correction. What would be said if an urchin were prosecuted for stealing an apple or an orange? What is said whenever a young thief is arraigned for stealing any thing under a shilling, or so, in value? The prosecutor is frowned at, is told such a case ought not to have been brought into court, and he is probably well abused for tempting the poor thing to act dishonestly by leaving the goods within his reach. He may think himself well off if he be not saddled with the expenses of the prosecution. But is thieving to go unpunished if done in small parcels, and by young practitioners? Is such an encouragement to be held out to beginners? Oh, no! Take the boy to his father, and let him give him a sound flogging. But the father may be his instructor, and waiting for his gatherings at the door of a neighbouring shop. Then flog him yourself. That is easily said; but if a sharp practitioner get scent of "*the case*," there will probably be an action for *assault* or *false imprisonment*, or at least a warrant, and, with a fine, a lesson from the magistrate that he had no right to take the law into his own hands. In every way the difficulties and dangers of attempting to punish a young depredator, or any depredator of small matters, are so

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considerable that sufferers are generally content to get their goods back again if they can, and let the thief loose. Of this the rogues are well aware, and hence it is that our streets swarm with them, and they snatch things even under the eyes of their owners with little other fear than that of being laid hold of and compelled to return them.

That petty thefts by boys and girls ought not to be brought into court may readily be conceded. The hearing and committal for trial by a magistrate, the framing of a bill of indictment, the attendance of witnesses, and the hearing of them by a grand jury of 24 persons, the arraignment of the prisoner in court, and his trial by a jury of 12 before a bench of justices, form altogether a cumbrous and expensive machinery out of all proportion to the task of imposing a slight punishment on a naughty boy or girl, and all this parade is frequently gone through when the offence is acknowledged, and no defence is attempted. Besides, the public exhibition renders the culprit for a first offence infamous for life, and compels him to thieve on for a subsistence. How much more rationally are juvenile correctives applied in Holland and the Netherlands! There a charge against a young pilferer is investigated by a justice of the peace in his private room, (I am informed,) and he imposes a short solitary imprisonment. This is so free from contamination and publicity, and at the same time is found to be so reforming, that respectable parents having vicious children frequently bring them before the justice of peace and crave a term of solitary imprisonment for such children, to subdue their bad dispositions. Why should not a similar summary power of correcting young delinquents be lodged in our justices of the peace? We have seen the beneficial effects of extending summary power to them in the disposal of common assaults. What a saving of ruinous expenses in attendances at quarter sessions and in actions at law has this mediation produced! What feuds has it not assuaged! The same power has been extended to the control of reputed thieves with beneficial effect. Then why, I repeat, should not this summary power be extended over young depredators for light offences? Might it not at least be tried in towns where there are stipendiary magistrates? If it be imagined that it may be used harshly or partially, let there be a power lodged in the father, if of honest character, to object to the summary jurisdiction, and leave the complaint for trial by a jury. But a good parent will rejoice in the opportunity afforded of getting his erring child corrected in privacy, and of saving him from the disgrace of a public trial and conviction. At all times and in all nations the necessity of leaving a considerable discretionary power of punishment in the hands of the parent has been acknowledged and acted upon; but this is sometimes exercised by brutal, drunken parents, and with unmerited cruelty. To give a concurrent power to magistrates in cases of juvenile dishonesty, legally proved, must be a material protection to the delinquent child against the ill-regulated severity or the misplaced lenity of an ignorant parent, while it enables the sufferer from his acts with little trouble to bring him under legal correction, and check his evil course in its beginning.

Summary punishment of convicts.

Chaplains.—We used to pay £80 a-year to a chaplain for the two prisons at Clerkenwell. About 15 years ago we appointed a second. Their salaries are now about £800 a-year. All the civil officers of the prison and nearly all the visiting justices now declare that the assembling in chapel is subversive of the discipline of the prison, and had better be discontinued; so might the extra salaries.

The Schoolmasters' and Trademasters' assemblies I think are worse than useless. Their salaries, &c., may be saved. *The tread-mill* no longer is dreaded; a turn in it is now asked for as a favour in preference to solitude or even silence. I think that expense may well be spared.

I think magistrates need some controlling power in the expenses they incur. Gentlemen remarkable for customary economy are apt to relax wonderfully when disposing of public money. Charity, munificence, and patronage, then seem to seek unwonted enjoyments; but this is a delicate subject for me to touch upon.

J. T. Barber Beaumont.

Extract from a Communication from an acting Magistrate.

In my humble opinion it would save much expense to the public if the clerks to magistrates had a regular salary for their services out of the county stock, instead of the fees as at present. My object is not to do away with fees, but to reduce them much below their present amount, and to be paid eventually to the county treasurer to liquidate the clerks' salary, as far as they would go. The fees now almost amount to a denial of justice. For instance, expenses on summary convictions under the Trespass Act or on a penal statute (if commitment takes place) amount to 13*s.* or 14*s.* at least; to this add constables' expenses, about 6*s.*, and attendance of witnesses, 3*s.* or 4*s.* more; so that £1 2*s.* or £1 3*s.* is incurred when it ought not to exceed half the amount. The consequence is, the petty culprit injures or steals with impunity.

Communication from H. Pepys, *Esq., Buntingford.*

Westmill, near Buntingford, Oct. 26th, 1835.

With regard to allowances to constables for the apprehension and conveyance of prisoners, we do not act under the authority of any special document. Some years since there was such a document issued by the court of quarter sessions for our direction, wherein the allowance for conveyance to Hertford was directed to be at the rate of 1*s.* per mile. It was afterwards, however, thought more advisable that this should be left to the discretion of the committing magistrate, who, however, is, I believe, in general much guided by the authority of the above-named document. We have no association for the prosecution of felons in this neighbourhood; nor am I aware of any suggestion which I could offer with a view to the reduction of the county rate, unless the Legislature should be disposed to vest in the magistrates assembled in petty sessions a power of adjudicating upon trifling offences, which are now necessarily tried at Hertford, and, when the place where the offence was committed happens to be at a distance from the county town, at a great expense to the county. A man steals a fagot, worth 3*d.*, in this neighbourhood, 11 miles from Hertford. If the offence is committed soon after the quarter sessions, this man must be kept at the expense of the county for near three months, besides the cost of his conveyance to gaol. Were summary jurisdiction given to the petty sessions in such petty offences, much expense would be saved to the county.

I have the honour to be, Sir, your most obedient servant,

Henry Pepys.

Communications respecting Prosecutions, Police, Constables, Conveyance, &c.

Communication from the Magistrates of Hereford.

The magistrates of the hundred have not anything to suggest relative to the expenditure in regard to search, &c.; but I think I may venture to say that the police part of the arrangement of counties is in a very deplorable state, and which might be improved by employing a different class of persons for constables, connecting them in an efficient manner both with the Poor Law and Highway Acts. At present vagrants, *in whatever numbers* they travel, are never molested by the parish authorities, and are frequently helped by them with money.

Communication from B. C. Cator, *Esq., Skelbrooke Park, Kent.*

I beg your permission to avail myself of the opportunity of making some remarks, which, to my imperfect judgment, appear worthy of your consideration.

First, As to the *Town of Dartford*, at which petty sessions I attend, though I live within the edge of *Bromley Division.*

As regards Dartford, and the evil Effects of its Local Act.—Probably no town of its size has more necessity for a secure cage, or lock-up place, for the refractory, as it is so peculiarly situated on the high Dovor Road. The cage is situated in the High Street, and any person who is confined in it is open to the conversation of every evil-disposed person who travels that road, nor is it secure. The magistrates of *petty sessions* have called the attention of the parish authorities in vain to remedy this evil; they have also called the attention of the magistrates in *quarter sessions* with equal fruitlessness.

Secondly, This town has no watchman, nor can the magistrates prevail on the inhabitants to have any peace officers beyond the ordinary constables, whose duty becomes so arduous that every one evades the office who can, and, as they are commonly selected from shopkeepers, they do not undertake their duty willingly, for fear of offence to their neighbours and employers. From the disorderly state of this town on market days, &c., &c., the magistrates find it necessary to give peculiar directions to the constables to go at a late hour of the night to preserve the peace of the town, whereby they often incur expense, besides the loss of their time, &c., &c. The vestry of the parish declines remunerating them, because of a Local Act being in force for watching and lighting the town, which, to the best of my recollection, allows a rate to be levied, not exceeding *one shilling in the pound*, which sum proves barely sufficient to pay for the lighting, and the interest of the money invested for that purpose; whereby their funds will not admit of any expense for watching or paying constables. The recommendations of the magistrates on this subject have been treated with such indifference, that nothing but the conviction of necessity induces us to order the constables to go out of their ordinary duty. We feel it hard to expose them to the ill treatment of so many disorderly people as are assembled on market days, without adequate compensation.

Next, as to the petty sessions being held at such a remote distance of the division *as Bromley.* When this place was selected for the divisional sessions Bexley was a small country village. Since the enclosure of Bexley Heath, (part of which is in the division of Bromley, and part in the parish of Crayford, which is situated in the Woolwich division,) several houses have been built, and the population has so vastly increased, that it assumes the appearance of a town, and has increased so much that a market-house has been lately built. As Bexley Heath (town, if it may be so called,) consists of *small* houses, which became the residences of persons of bad character (generally speaking), the magistrates immediately in the vicinity of Bexley found it advisable to hold meetings (not petty sessions, to the full purport of that appellation,) once a fortnight on Bexley Heath, for the preservation of good order, and for our own convenience as well as for that of the public, by saving them a distance of eight or nine miles to Bromley, or six or seven miles to Woolwich. It would be beneficial to the immediate neighbourhood if regular petty sessions were held at *Bexley*,—that it should form a division separate from Bromley, comprising Bexley, North Cray, Crayford, East Wickham, and Wilmington; but any remodelling of these divisions may *be opposed by the influence of the clerks of these divisions.*

As to Fines and Penalties.—From the want of systematic regularity in recording penalties, it rarely happens that the sums which are by the 7th and 8th Geo. IV. appropriated in aid of the county rates reach their proper destination, and I dare to say very frequently are not appropriated *for the benefit of the public.* An active magistrate with whom I have conversed made the following remark, which I subjoin, marked A. B.

We have endeavoured in vain to have regular returns made, and it appears advisable that the clerks of divisions should be subject to a penalty if the returns be neglected; and that the clerk of the peace for the county be also subject to a penalty if he neglect collecting and laying the returns before the magistrates at their quarter sessions.

As to Payment of Constables.—The activity of the metropolitan police causes increased depredations to be committed within a circle of from five to ten miles beyond their precincts, which creates much more arduous duty for the constables within that circle; and it becomes a most painful duty on the part of the magistrates to employ constables in search of felons where there is such an aversion on the part of all vestries to make them compensation, especially in cases where the poverty of persons who have property stolen renders them incapable of paying constables where their exertions prove fruitless. In our immediate neighbourhood we have a private association fund for the purpose of rewarding constables and others who are active. As this fund is maintained by voluntary contribution it cannot always be depended upon, and it becomes hard on volunteers that they should pay for the benefit of others who may not choose to subscribe. It is called the Bexley Association. Our treasurer is a Mr. Dann, of that place.

Paper referred to in this Document.

A. B.

With reference to irregularity of payment of fines directed by Act of Parliament to go in aid of the county rate, would it not be practicable, by order from the Secretary of the Home Department, to have a routine paper laid before magistrates when sitting in petty sessions, containing ruled columns, with dates, &c., in blank, to which the magistrates, when imposing penalties under the

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provisions of 7 and 8 Geo. IV., or other Acts of Parliament, when the whole or part of the fine is directed to be paid in aid of the county rate, shall be requested to enter the amount, and attest the same by the initials of their name?

The clerk of the petty sessions to be required, under a penalty, to make a copy of that return, (the original to be filed in each local court-house,) once every quarter of a year, to the clerk of the peace.

Communication from Sir E. F. BROMHEAD, *Lincoln.*

Thurlby Hall, Newark.

I have had the honour to receive your circular, and shall be very happy to give you any information in my power. The details required are within the province of the clerk of petty sessions, whom I will request to make the returns. I venture, however, to make a few miscellaneous remarks.

1. I have acted as a magistrate about 18 years. Before that time I heard of a person who had accepted some of the legal fees *for his own use*, and the justices refused in consequence to act with him. Many years ago I recollect that some justices had in their private office a purse called "the clerk of the peace's purse," in which fees were placed, and the clerk of the peace provided all necessary *printed forms* in return. This was, however, so troublesome, that we decline generally all fees, except where the clerk of petty session is present, and we pay for our own forms. Sometimes, to check vexatious proceedings, a justice might take fees at his own house, but he could not pocket them. Many years ago I tried for a few months the plan of taking the fees, and sending them by the constable to some poor person of the parish in which the complaint originated, but I got tired of it. The only thing to be said in favour of fees at the justice's private house is the power to check frivolous and vexatious proceedings, and to give the proceedings of the justice a gracious liberal character in the eyes of the poor.

2. Formerly we received *gratis* "The Hue and Cry," and now we receive "The Statutes at Large."

3. The clerk of petty session, I believe, appropriates the fees received to his own use. I doubt whether they are a profit to him, considering that we meet on a market day. The value of the office is the introduction to business, the name becoming public, with a character of legal knowledge. He of course provides the forms used in petty session.

4. The county rate supplies any trifling expenses attending the petty sessions' room, such as door-keeper, and a few law books for reference. The justices provide at their own cost such law books as they want at home. We formerly met at an inn, but this impropriety we got rid of as soon as possible, and now meet at the judge's house, about a mile out of our way. I am not aware of any *direct* legal power to charge the petty sessions' room on the county rate, though the courts have decided that legal proceedings and other expenses necessarily arising against those who superintend the rate may be so charged. Perhaps they may stand on the same footing as the court-house of general sessions.

5. It strikes me that the *wages* of justices and commissioners of sewers should be abolished. When I began to act, the justices used sometimes to dine together after sessions with the professional gentlemen, and I discovered that the dinner bill was reduced from £1. 1*s.* to 16*s.* by means of these wages. This I insisted upon being stopped. I never attended sessions for less than £2 or £3, so that the wages are a mere degradation. I believe that in some places these wages go towards the undefined and often inadequate remuneration of the clerk of the peace.

6. The payment of HIGH CONSTABLES wants revision. Some years ago our justices made a scrutiny into this matter. We found the emoluments various; some took a gross sum from the county rate collected; some took a poundage; some took a fee per township. I suspect that there were frauds occasionally on townships through these undefined demands. The county assessment should be *printed*, so that a parish knowing the amount in the pound required, may know the exact sum required. Our justices have thought of fixed salaries. In my own opinion the office is compulsory, and no payment can be legally taken, except, perhaps, immemorial fixed fees. The justices should be *empowered* to remunerate these most valuable officers by a fixed salary, or by a salary depending on the number of precepts served. Our justices have established (I fear without legal authority) a well-drawn printed table of fees to be taken from each township according to the duty done. Poor parishes pay the same as rich ones. There was a Bill some years ago transferring the duties and profits of these officers to the clerks of petty session, but most fortunately this Bill, otherwise valuable, did not pass.

7. The sheriff, and his deputy, the keeper, should not be pecuniarily answerable for the escape of debtors, who should in this respect be put on the footing of convicted misdemeanants. The large securities now required make a larger salary necessary.

8. Where counties repair bridges, the road over them, and at the ends, after being put in good order on repairing the bridge, should be maintained by the parish in which it is situated until the bridge again wants repair.

9. County advertisements should not pay duty. The justices cannot send to all the papers, and the others are prevented by the duty from inserting them *gratis*.

10. The county justices for Kesteven have a fee table regularly allowed by the judges. It was carefully and *technically* examined by the clerk of the peace and myself, and has since been adopted by the justices of Lindsey.

11. Might I be allowed to say that the form of all tables which I have seen is inelegant and unscientific? They should be arranged by the *nature of the legal Act*, and not by the subject-matter to which the legal Act *is applied*. Among proper heads I may mention—

Appointments	Conviction	Recognizance
Affidavit, Oath	Order	Notice
Information	Commitment	Licence
Examination	Warrant of Distress	Allowance
Summons	Certificate	Discharge
Warrant	Signature	Record
Precept	View	Copies, &c.
Adjudication	Supersedeas	

Stating under each the special matter.

12. In an atrocious attempt at murder I had to expend out of my own pocket fourteen guineas in

searching for the delinquents. *As no one was committed*, I could not make a legal claim any where, and could not allow the special constables to lose the money.

13. Persons committed for non-payment of moneys should not be discharged on payment, without also paying the costs of commitment. One statute, I recollect, provides against this.

14. The payment of ordinary constables is not provided for. Matters before justices are most usually *arbitrated* by the bench to the satisfaction of both parties, and it is usually made a condition that the constable shall be paid for his loss of time. We sometimes make his payment part of the costs, or regulate the penalty with a view to it, or he puts his charge in the parish account—of the legality of all which I do not feel clear. In some parishes the officer pretends to claim a fee of 4*d.* or 1*s.* before serving process, and high constables claim in such cases 10*s.* 6*d.*; but I have always denied their right to make any condition as to obeying process: if the fee is their right, it must be recovered by action subsequently. The high constable acts where there is no common constable, or where he is a party.

15. It would be a great public benefit to empower the committing magistrate to *assign an attorney* to conduct the prosecution where the magnitude of the case requires a professional agent. This is always the case at assizes. At present I do this; but, were the parties desirous to employ a disreputable agent, there would be some difficulty on account of the examinations, which must be sent to the judges just before assize.

16. The search for felons would be cheaper, especially in horse-stealing, if printed handbills could be sent, post free, to be fixed up at the post-offices. Let the magistrate order the distance.

17. Associations for prosecuting felons. The postmaster could return a complete list of these.

18. The conveyance of convicts is a serious charge. Government should regulate the place of depôt, according to the place from which the transports are sent. In consequence of our application some years ago, the Government ceased to fixed upon their most remote depôts. But a depôt for the North should be placed in the Humber. We tried the steam-boats, but it did not answer. Our few females go by coach. Our male convicts go by caravan and post horses; the caravan returns by waggon. The caravan has seats open to the road, so that the prisoners need not dismount.

19. I believe that many unjustifiable charges are made on counties at the assizes; we have resisted some, and intend to investigate the whole business.

20. It is a great grievance in this county that the boroughs of exempt jurisdiction send felons, smugglers, &c., to the county gaol, and do not contribute to the charges of the gaol, courts, or judge's house.

21. All rates fall ultimately in their average on the rental; the variations fall on the party making the immediate payment, and that should be the party having control over the expenditure. Hence on *principle* the parish rate should fall on the occupier, and the county rate should be deducted from the landlord's rent. The objection to such an arrangement is the powerful manner in which it might unsettle the minds of the tenantry, and the danger of an attempt being made to apply the process to parochial rates. The case of a deserted parish in the south arose from the landlord ignorantly undertaking to pay the *poor rate*. The county justices form the only instance I ever met with of an economical *public body;* this sometimes reaches even to meanness, but the feeling is right.

22. When a true bill is returned for felony, the trying jury should be empowered to bring in "guilty of *attempting to commit* the felony." For want of this many criminals escape, and there is the expense of second trials: or it might be made legal to place the felony and misdemeanor in the same indictment.

23. Much expense with juvenile male offenders might be saved by empowering justices to direct them to be privately whipped, except the friends please to offer sufficient bail for trial; and also empowering them to fine as far as £5, the parents or masters having charge of them. These should be answerable in some degree for their acts, as a man is answerable for his wife; at present parents encourage them.

24. The whole matter of county bridges wants revision. No bridge, where the average breadth of the water for · feet above, and feet below, is less than feet, should fall on the county. These smaller bridges should fall on the hundred or township.

25. The portion of penalties to informers should be abolished. It operates like the old "blood money." We never should use bad means for a good end, or use the bad passions of mankind as an instrument. The practice *prevents* informations. Let the informer be paid his full expenses, and let half the penalty go to any charitable purpose suggested by the informer, if approved by the justice. Actions on penal statutes should be conducted by the clerk of the peace under an order of two justices.

E. F. Bromhead.

Communication from H. Dymoke, *Esq., and Magistrates of Lincoln.*

Horncastle.

We are of opinion that the following alterations of the law would be found beneficial, viz.:—

That the duties of the high constable should be defined by Act of Parliament, and that an annual salary, to be fixed by the justices in quarter sessions, should be paid out of the county rate in lieu of the fees now taken.

That two magistrates should have power to order the payment of the reasonable charges of constables and others in the apprehension of persons for felony, or any of the misdemeanors mentioned in the 7 Geo. IV., cap. 64., sec. 23; and that such power should extend to any case where the party has been apprehended by warrant of any justice, whether a prosecution takes place or not.

That the power of the sessions to order expenses in certain cases of misdemeanor under the above section should be extended to the attendance before the examining magistrate, as in cases of felony.

Communication from the Hon. G. J. Milles, *and Magistrates of Norfolk.*

Litcham, near Swaffham.

We have two chief constables in the Launditch hundred, whose joint salary amounts to £33 per annum, but it appears that further charges have been made by them, viz.:—

Two shillings from each parish for returning the jury lists, and three shillings for returning the lists of voters to the clerk of the peace; but we know of no authority for their making such demands.

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The duty of the chief constables principally consists in receiving quarterly the amount of the county levy, and forwarding the same to the county treasurer.

As you request us to give you the best information we can upon any other head of expenditure affecting the county rate, we would call to your attention the great saving which might be effected to the county were a summary power given to magistrates in petty sessions to fully convict in minor cases of larceny, the difference between grand and petty larceny being abolished by the Act of the 7 and 8 Geo. IV., cap. 29, sec. 2; and it appears almost in every one of such cases that the property stolen does not exceed in value the most paltry sum. Whereas the expense attending such prosecutions in quarter sessions is enormous, varying from £7 to £10, exclusive of the expense of the prisoner in gaol till time of trial, whereas the sum incurred by summary conviction would not exceed more than £1. 5*s.* to £1. 10*s.*; the saving, therefore, to the county, would be from £6 to £8 in each prosecution.

We cannot help remarking to you the lamentable inefficiency of our police; it is with great difficulty we can make a decent selection of petty constables; their ignorance of their duty, and in some cases their unwillingness to perform it, is but too glaring a fact.

There is another nuisance (for we can call it nothing less), which is the establishment of beer-houses: that they have occasioned an extraordinary increase of crime there can be no doubt, whilst the difficulty of convicting the keepers of such houses of a breach of the Act, and enforcing the good management of the same, is equally evident—a difficulty which arises from the above-mentioned great inefficiency of the police, as well as from the Excise, in too many cases, not being sufficiently cautious in making inquiry as to the characters of the parties who make application for the licence; and they do not pay sufficient attention to the respectability and qualification of those persons signing for the applicant the certificate to the Excise Office.

Communication from W. Miles, *Esq., Somerset and Notts.*

Kingsmorton, near Bristol.

In your circular received by me, as a magistrate for the counties of Somerset and Notts, you intimate a wish that I will suggest any improvement that may have occurred to me connected with county expenditure in respect of search, apprehension, examination, conveyance, or maintenance of prisoners, or with any other head of expenditure affecting the county rate. In obedience to this injunction I beg to suggest that I think it would be conducive to the ends of justice if a power was given to the chairman of quarter sessions, similar to that now vested in the judges of assize, of rewarding any extraordinary exertions of an officer upon the apprehension or conviction of felons. I cannot do better than give a case in illustration, which occurred before me at the last adjourned quarter sessions for the county of Somerset.

Two persons were apprehended, with a considerable quantity of lead in their possession, by an active officer in the parish of Bedminster. The lead had been stolen from a house 22 miles from the parish in which these persons were apprehended, who were taken before the magistrate and remanded. The constable made two journeys to the parish from whence the lead had been stolen, before he collected sufficient evidence to justify the magistrate in committing them for trial. Nothing could have been more praiseworthy than the conduct of the constable. The evidence obtained through his instrumentality was, on the trial, perfectly conclusive as to the guilt of the prisoners, who had long been the terror of the neighbourhood in which they had resided; yet the bench had not the power of ordering the repayment of expenses incurred by him, or of compensating him for his loss of time.

Two or three other cases occurred of nearly a similar nature, which it is needless to enumerate.

The conveyance of prisoners to gaol or the house of correction, if from a populous neighbourhood, and where crime abounds, should be by contract. This county has severely suffered by the jobbing which has taken place on this head in the vicinity of Bath. As to the maintenance of prisoners it will not be necessary for me to make an observation, as I trust one uniform system of prison discipline will shortly be in operation throughout the whole of the country.

I cannot conclude these few remarks without suggesting to the Commissioners the propriety of early next session bringing forward one uniform table of fees for the whole of the country. The difference now existing in the tables of fees taken by *magistrates' clerks* is very great, and is the fruitful cause of much discontent.

Whatever is done upon this head, I feel convinced that the greatest publicity should be given to those tables, and that, though at the expense of repetition, the whole amount of charges permitted to be received by the clerks *should be arranged under each separate head;* as, with the faulty construction of the present tables, it is almost impossible for the individual against whom costs are given to distinguish the correctness of the clerks' charges.

A table of fees was sent up by the magistrates acting for the Bedminster division on Saturday upon which I shall make no other comment except that in some cases they appear to my judgment *exorbitantly high.*

William Miles.

Communication from the Baron de Teissier.

Woodcote Park, Epsom.

In respect of the fees charged, I beg to say that the amount stated is the highest amount ever charged, but much less is frequently taken, and such fees are only taken at petty sessions, or when the business is transacted at the clerk's office; for much business is done by the magistrates of the division in private, for which I am not aware that any magistrate has ever charged any fee at all; and, indeed, I have been repeatedly compelled to request our clerk to exact fees previous to granting summonses, with a view to prevent the issuing of summonses for every trifling cause.

There is one fact relative to the expenses of search for parties accused of crime to which I take leave to draw the attention of the Commissioners: it is one of rare occurrence, but when it does occur I conceive it is likely to be injurious to that zeal by which the magistrates are generally actuated. I mean that case in which great expense may be incurred in search of criminals; but there

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being no commitment, and no expenses incurred by the constables of the parish in which the offence has been committed, there is no fund to indemnify the magistrates acting.

In the case of a murder committed in this division last year, that of Mr. John Richardson, at Banstead, the magistrates, from the great interest excited, independently of their own sense of duty, were compelled to make long and fruitless search for the offenders, to examine many parties taken up on suspicion *without their authority*, and incur expenses *inevitably*. There was no commitment, nor was the constable of the parish of Banstead employed, being wholly inefficient. The consequence was, that the magistrates acting (five in number) paid nearly £120 for discharging their painful duty, there being no fund out of which they can be paid.

I beg to add that I write this with the sanction of the magistrates of the division, assembled in petty session.

J. De Teissier.

Communication from the Venerable Archdeacon Bonner.

I beg leave to state that magistrates have great difficulty in directing payment to be made to constables, in the discharge of their duty, in bringing the accused to justice, and in attendance when the case is heard, arising from the poverty of the parties on either side; so that the awarding of costs, as directed by law, is, in such case, a mere nullity; and the hope of such duty being remunerated by the parish, in the allowance of the constable's accounts, altogether vain. Allow me, therefore, to state that if the magistracy could be enabled by law to meet these difficulties it would be a great relief to them.

The ordinary fees allowed to constables (petty) are,—

	s.	*d.*
For serving a summons or warrant	1	0
For bringing the case to justice, per mile	0	6
But for the least distance is never lowered to less than . . .	2	6

And this arises from the custom of this part of the county.

To petty constable for conveying a prisoner to the county gaol, for the first 10 miles, per mile	1	0
For every mile after the 10	1	6

Payments to the chief constable have recently undergone a revision, and are now allowed out of the county rate.

Communication from E. Simeon, *Esq., Oxford.*

I must inform you that I have been, and am, very differently situated from most of the county magistrates: in consequence of being 14 miles from the nearest Oxfordshire petty sessions, held at Henley, I have been in the habit of transacting all the business of this neighbourhood, for the last 10 years, without the intervention or assistance of any clerk. When I first began to act, it was hinted to me that I ought to take regular fees, and hand them over to the clerk of the petty sessions at Henley; but, as I did all the labour myself, I declined laying a tax upon my neighbours, which most of them could ill afford; and no fee of any sort has ever been levied or received by me, or my authority, either directly or indirectly. I have therefore no return to make under that head.

All fines levied by me have been immediately paid over to the constables, overseers, or complainants, according to the directions of the various Acts of Parliament.

The allowance to the constables is not very certain; and I endeavour to decide it, as much as possible, by what appears a reasonable remuneration for the time and trouble expended by them. The distance from this place to Oxford is 23 miles, and it has been customary to allow 1*s.* per mile for conveying a prisoner to gaol there. This allowance appears high, but it must be remembered that as the constable has no means of *forcing* the prisoners to walk, (as would be done on the Continent,) he is always obliged either to take them by coach, or to hire a cart. This amount includes refreshment for the prisoner, as well as for the constable. I know of no *document or written authority* by which the exact amount of allowance is fixed. There is a general understanding amongst the magistrates that it should be kept as low as is consistent with a fair remuneration to the constable for his time and outlay.

I have further to observe, that my own rule, with regard to expenses of constables, has always been as follows:—

First, in case of *felonies*, to allow the constable's expenses of "apprehension, maintenance, and conveyance," as against the county, and to sign an order on the treasurer for them.

Secondly, in case of misdemeanors, poaching, and petty assaults, which are generally punishable by small fines, I always pay the constable's expenses out of the amount levied.

Thirdly, where no fine is levied, but the party sent to prison, and where the prosecutor (as in poaching and most other cases) is well able to pay the constable, I leave them to settle it together; but where, from the extreme poverty of the delinquent and prosecutor, (as in a case of *serious* assault between paupers,) there are no means on either side of remunerating the constable, I allow a small sum in his account as against the parish. This I am authorized to do by Act of Parliament; in such case I allow at the rate of 3*s.*, or at the most 4*s.*, per day for the constable's time and trouble.

Fourthly, I also am in the habit of allowing a sum of two pounds per annum out of the poor rates, to such constables of the neighbouring parishes as demand it, for their trouble of occasionally visiting the public houses, keeping order in the parish, and attending me, when required, upon parish business.

I believe that the above methods of remunerating the constables are all strictly consistent with law; it would, however, be desirable if some plan could be hit upon, which would leave the question as a matter of discretion for the magistrate.

Although not strictly connected with the question of *payments*, I will take this opportunity of suggesting the propriety of some set of *uniform*, correct, printed instructions, being forwarded from London to the high constables, for occasional distribution amongst the petty constables; the latter are generally poor uneducated men, and very ignorant of the duties they are called on to perform. In the country we generally endeavour, when we have got a man into the office who fills it tolerably well, to

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keep him in it for many years, as it is so difficult to find a person *willing and able* to fill it properly, a good deal of intelligence, and a good deal of decision, being often required.

Allow me also to allude to the scandalous abuse of the justices' clerks, or their partners, being allowed to be agents for or against prisoners or litigants brought before them. I apprehend the influence the clerks exercise over the minds of many magistrates must, in such cases, often lead to great injustice being done.

EDWD. SIMEON.

Communication from the Magistrates of Bristol.

Besides the order regulating the allowance for taking prisoners to gaol, and the actual monies expended by constables on account of their parishes, and which they are entitled to be reimbursed, under the statute 18 Geo. III. cap. 19, s. 4, there is not any authorized scale or principle of allowance to constables in this county, in compensation for their trouble in discharging the duties of the office; though we believe they expect, and in general receive, some gratuity, when private individuals require their services, and which is paid by the parties employing them, unless otherwise arranged with the opposite parties; but where this compensation is refused, as it often is, there are not any means of enforcing payment.

It is usual, in many counties, to allow constables 1*s.* for the service of each summons, but this practice has for many years been discountenanced in this county, and the constable is required to perform that duty in his own parish free of charge.

We think a considerable saving to the county rates might be effected, with great advantage to the public in general, if there were a more summary mode of punishing petty offenders. Many persons are deterred from prosecuting for offences of this description on account of the trouble and extra expense to themselves of proceeding to a trial at the quarter sessions; and often, where this latter course is pursued, the expense to the county, as well as the expense and personal inconvenience to the parties themselves, are very disproportionate to the punishment consequent upon first convictions. Punishment speedily inflicted would, in our judgment, be much more effectual in the suppression of crime; and by such an arrangement the pernicious effect of association with experienced and hardened offenders, which is more or less unavoidable in all gaols, previously to trial, would be obviated.

Communication from the Magistrates of Bath.

Guildhall, Bath.

At a meeting of the magistrates acting for the division of Bath, held this day at the Guildhall, Bath, your circulars, headed "Magistrates' Return," were taken into consideration, and herewith we return you the two tables duly filled up by our clerk, and which have been approved of by us. We also send you a copy of the table of fees on which we act, which were framed by the court of quarter sessions, at Wells, on the 14th day of October, 1822, and confirmed by the judges.

We also send you the amount of allowances to constables for the conveyance of prisoners, and for their maintenance both before and after commitment, as sanctioned by us, viz.:—

Ten shillings for the conveyance of one only; and
Eight shillings each when more than one.
Two shillings each per night for safe custody.
One shilling each for maintenance and custody per day.
The gaol is at Shepton Mallet, 18 miles from Bath.

We think it right to state that in very many cases we have been desirous of remunerating tithingmen and other officers for the trouble and expense they frequently incur in apprehending prisoners out of their parish for various felonies, while, on investigation, the evidence has not been sufficient to commit for trial; and we make this remark, believing that many offenders escape punishment, and the officers do not exert themselves so much as they otherwise would if there was any fund out of which their actual expenses might be paid.

We therefore beg to suggest that magistrates should be empowered to make an order upon the treasurer of the county to reimburse constables for the expenses incurred by them under the circumstances before mentioned.

In the table of fees herewith sent there is no fee allowed for the hearing of an information; and when an information is dismissed, which happens frequently after a long hearing, there is no provision made for payment of any fee, and which, if allowed, would probably be the means of preventing many frivolous complaints being brought before the magistrates.

Communication from the Rev. J. PHILLOTT, *Bath.*

Stanton Prior, near Bath.

The Commissioners having expressed a desire that to the above particulars any suggestion may be added, of improvement, connected with the expenditure affecting the county rates, I beg to observe that the distance of the places where the assizes for this county are usually held from the populous city of Bath, and from Bedminster, and from the gaol at Shepton Mallet, to which the commitments from the eastern part of this county are commonly directed, is the cause of a heavy pressure upon the county rates, as well as of much private inconvenience and expense. This evil may be considerably relieved by the holding of the assizes more frequently in the city of Wells, in which, at present, there is only *one* assize in *two* years.

I beg also to suggest that the county bridge *roads* lying within turnpike trusts be placed to the care and charge of the several trusts wherein they are situated. In this, the Keynsham division alone, we have four bridges thus circumstanced, which together cost the county £75 per annum for the repairs of their roads.

JAMES PHILLOTT.

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Communication from G. WARRY, *Esq., Glastonbury.*

I am not aware that magistrates have any power to make allowances to constables or others, in respect of the apprehension, maintenance, or conveyance of prisoners, unless such prisoners be committed for trial; and this I have often heard complained of as a great defect in the administration of the criminal law. There are constantly occurring cases on criminal charges, in which, for the ends of justice, the persons charged ought to be detained; but in such cases, unless a commitment for trial follows, the magistrate has no power to allow the prosecuting parties the costs incurred. Some time since four persons were brought before me on a charge of arson, and the evidence then given led me to remand the prisoners, in the full expectation that a link or two in the chain of evidence then wanting would, in a day or two, be supplied, to enable me to commit them for trial. I was, however, disappointed, and the persons were discharged, though I believed then, and do now, that they were participant of the crime; and the expenses incurred in this investigation (the parties injured being poor) were defrayed by contributions in the neighbourhood.

I am of opinion that the greatest good would result from an alteration in the present system of appointing constables. Nothing can be worse than it is at present in the country districts.

I know of no way by which the expenditure of the county rate could be so largely diminished as by allowing magistrates the power of inflicting summary punishments in cases of petty felonies, misdemeanors, and trespasses.

Communication from the Rev. T. R. JOLLIFFE *and Magistrates, Bath.*

We beg to observe that we have no suggestion to offer in respect to the general expenditure; but we are desirous to state that applications are constantly made to us by constables and tithing-men for *some pecuniary recompense* whenever they attend to make return of a warrant or summons from *without the limits of the hundred* for which they are appointed. Not feeling authorized to make any order to such effect, we usually recommend the parties at whose suit the precept was granted to satisfy the peace officer for his *additional* trouble. But as the duty of a constable, at all times irksome, is frequently attended with considerable *risk*, and sometimes personal danger, it may not be undeserving the attention of the Commissioners to consider whether if, in particular instances, some *fees* were *legally established*, it might not ensure a prompt and cheerful discharge of a laborious and important office.

Communication from H. SHARPE, *Esq.*

With regard to that part of your letter concerning the prosecution of felons in the district in which I am acting, I beg leave to state, for the information of the Commissioners, that during the last few years, and especially during the year just expired, our district has been subjected to occasional disturbances; and that the agricultural classes in my neighbourhood fearing a repetition of them, and seeing how inadequate our means were for security against them, have expressed an anxious wish to avail themselves of such protection as might be secured to them by the introducing of the Lighting and Watching Act. As to watching only, in their respective parishes, and in my own parish, Northiam, in Sussex, a general meeting of the rate-payers was called for this express purpose during the last month, just before I came to this place, it being intended to introduce this important measure first into that parish, to see how it could be brought to work, while the adjoining parishes were preparing to follow the same example.

Presuming that every measure connected with an economical and sufficient means for the preservation of the peace and the administration of local justice will come within the view and consideration of the Commissioners, I think it highly desirable that the wants of these parts of the country should be brought before them, and that the Commissioners should be rendered aware that such improvements *in the local police of rural districts* as their present state imperiously requires are anxiously desired by the leading farmers and other classes in the district for which I am acting as a magistrate.

Communication from E. GROVE, *Esq., Stafford.*

Some of the high constables' fees are taken under Acts of Parliament, some under custom of very long standing; but doubts have been raised as to the legality of the order of court: the fees have in some instances been resisted, and have not hitherto been enforced. The question has not, as far as I am aware, been yet decided, as far as regards the fees demanded by high constables.

I do not apprehend that any better mode of conveying prisoners to gaol can be adopted in the agricultural districts than under the enclosed order of court; but probably in the vicinity of large towns, where there are lock-up houses, where the prisoner might be safely kept between the time of commitment and conveyance to gaol, some more economical plan might be practical.

Witnesses and prosecutors under recognizance to attend the courts at Stafford have an allowance of 5*s.* a-day, and 4*d.* a mile for going there, and 4*d.* a mile for their journey home again.

In looking at the expenses of witnesses and others at Stafford, I beg leave to call your attention to the very heavy charges to which parishes are subjected by the proceedings in bastardy, 4 and 5 Will. IV., cap. 76, varying in each case from £5 to £10; so that the overseers of the poor choose rather to run the chances of burdening the parish with the maintenance of the child till the age of seven years, than incur the immediate and certain payment to such an amount; and some alteration of the law in this respect is imperiously called for.

Communication from THOS. HARTSHORNE, *Esq.*

Silksnow House, Stafford.

Mr. Hartshorne respectfully begs leave to suggest that the following improvements have been made during the time that he has been one of the committee of finance of this county; that is to say, first,

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the witnesses in prosecutions for felony, and in certain cases of misdemeanor, were formerly allowed and paid 1*s.* per mile travelling expenses out of the county rate, and now they are paid 8*d.* per mile. The court of general quarter sessions in this county make no allowance, except in some special cases of felony, to counsel or attorneys for conducting prosecutions. Conveyance of prisoners is already done by contract in some parts of the county; and it is thought that if the same was general it would be desirable. *It is presumed that if a police was established in different parts of the county, according to the population of each parish or place, and to be paid by a fixed salary from Government, it would be the means of more effectually preserving the peace of the county, and a more certain way of detecting offenders;* such peace officers to have the power of calling in the aid of the civil force already in existence: this it is expected would materially reduce the expense of search and apprehension. As to the expense of examination it is thought no alteration can be successfully made. A most material saving to the county would, it is presumed, be effected, if justices in petty or special sessions had the power to try petty criminal offences, inasmuch as there has been one instance wherein the prisoner, a boy of 10 or 12 years of age, was sent to prison for stealing some article of the value of 3*d.* or 4*d.*, and was confined several weeks *before trial.*

Communication from H. A. Bramley, *Esq., West Riding, Yorkshire.*

The table of fees on which the magistrates' clerks profess to act in this division bears the signature of C. H. Elsley, clerk of the peace for this riding, and was ratified and confirmed by J. Bayley and John Hullock, two of his Majesty's judges, the 19th day of August, 1828. The table of allowances to constables, witnesses, &c., was altered to what it is, at Pontefract sessions, 27th April, 1829; but I am of opinion that justices' clerks *often charge more than is allowed by the table of fees.* There is an association for prosecuting felons, &c., at Skipton: they have no fixed solicitor.

With reference to expenditure about search, apprehension, &c., of prisoners, I should think 9*d.* a mile conveyance to house of correction too much by 3*d.*; and I should suppose 3*s.* 6*d.* a-day, or at most 4*s.*, sufficient for searching after and apprehending under a magistrate's order; sufficient also for attending before a magistrate with a prisoner; neither should there be, in my opinion, 6*d.* a mile allowed for travelling to apprehend, over and above the allowance per day. The 6*d.* per mile allowed for travelling with each prisoner to a magistrate, besides the allowance for the constable's attendance, should be understood to include maintenance of the prisoner, &c., I think. The allowance of 9*d.* per mile for travelling to quarter sessions, and of 10*s.* per day if not in his own town, or of 7*s.* 6*d.* if in his own town, may be lowered to 6*d.* per mile, 7*s.* 6*d.*, and 4*s.* 6*d.* Subsistence for each prisoner is stated at 8*d.* per day, which I should think was too little; say 1*s.* The allowance of 7*s.* 6*d.* per day for each witness at the quarter sessions is something higher than is desirable, I think.

If the offices of justices' clerk, chief constable, and surveyor of weights and measures, were always to be held by different individuals, it would, in my opinion, be better, and if the duties of chief constable were defined and insisted upon, and perhaps regulated.

Whether also more than one bridge-surveyor for large districts would not be advisable.

Communication from N. C. Calvert, *Esq., Ware.*

In respect to allowance to constables, and the conveyance of prisoners to gaol, the amount granted by the magistrates is usually 1*s.* per mile when the occasion requires a cart, and less when the distance does not require it. They endeavour also, as much as possible, to discountenance all expenses on the road, such as stopping at public houses under the plea of refreshment. I also have to inform the Commissioners that the expenses allowed by the magistrates are in general fairly checked and regulated. Not so those which are allowed at the assizes, which we consider as very extravagant. Not that I would wish to throw any blame, or impute neglect, to those venerable personages who preside in the courts of justice; for it is quite impossible that a judge sitting in open court should have time or opportunity for descending into the particulars of a bill of costs, unless circumstances should occur in the course of the previous trial which afford any light for his information. Either this investigation should be referred to a special officer, or to the magistrate committing the offender.

Communication from R. Norman, *Esq., and Magistrates.*

It has occurred to us that a facility would be given to the discovery and apprehension of felons if a certain number of hand-bills in each case might be allowed to be sent to the constables in market towns, *free of postage.*

Communication from J. Barneby, *Esq., M. P., Brockhampton.*

The expense of apprehending persons on a *charge* of felony should be paid out of the county rates, instead of by individuals who make the charge; at present there is not any authority for making such payments out of the county rate, unless the person charged is committed for trial: this expense often falls heavily on the poorer classes, and sometimes prevents the ends of justice.

Communication from P. B. Purnell, *Esq., Gloucester.*

I shall have great pleasure in acceding to the wishes of the Commissioners for inquiring into the County Rates by transcribing for them the table of fees to justices' clerks, which has been submitted to the judges, and will duly consider it, with a view of adding any observations which may occur to me on the subject as being likely to be useful to the Commissioners.

My only copy is at present with a friend, to whom I have this day written for it.

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As a member of a committee (the appointment of which I obtained at the last sessions) for fixing a scale of allowances to prosecutors and witnesses on the trials of prisoners, I have just completed a table on *this* subject, which will be submitted to the justices at our next quarter sessions (Gloucestershire).

I am anxious for such a line to be drawn, that a too lavish expenditure of county money may be prevented; and at the same time to remove all impediment, on the score of expense, to prosecutions for minor offences. Impunity for *these* is almost the sole cause of the most serious and aggravated ones.

Hardly any one plunges headlong into the commission of the greatest enormities at once. If arrested in the earlier stages of his career by the hand of justice, the offender is either reclaimed by the early punishment, or, on the second conviction, is severed from his companions and haunts by transportation. The commission of the worst crimes is prevented; the terrible example which impunity holds out to others is got rid of; and an immense expense is saved to the county.

Acting for upwards of 15 years in a populous neighbourhood, in all cases of felony without a clerk, I have obtained some experience and much insight into the feelings of prosecutors, witnesses, and offenders. I have uniformly found the greatest disinclination to prosecute for minor offences, after the angry feelings of the moment, occasioned by the loss, have subsided, even when the offender is known; and to one case of this description perhaps fifty occur where the offender, with little exertion, might be known, prosecuted, and convicted, where the certainty of *no* remuneration for the trouble, and the uncertainty of being repaid the actual expense of prosecution, besides the loss of time, often most valuable, have acted as a complete bar to all exertion and proceeding. From the impunity arising from this I have traced the progress of many gangs, beginning with poaching and petty plunder, going on with rifling cottages during the absence of the owners, and farm-yards at night; then farm-houses, mills, dwelling-houses, and robbing on the highway, with acts of violence foreign to the feelings of the parties at their outset. From a sackfull of hares of a night I have traced them till they have cleared 40 cheeses in half an hour from a factor's in the heart of a town, or £200 worth of cloth from a guarded mill—from the minor to the serious offences being a space only of three or four months.

P.S.—Allow me to add that I am one of a committee for fixing the fees to be received by the clerks of the peace. Is this a head for investigation by the Commissioners? I have made many inquiries on this subject; the result shows a very great difference in different counties, surpassed only by the great difference in the charges of their annual or quarterly bills to their several counties.

Extract of a Letter from Messrs. CARR *and* ROBINSON, *Blackburn.*

The subject on which we have the greatest complaints with regard to allowances is the expense of searching for and apprehending persons charged with simple larceny, and of keeping them until they are committed for trial. There is no public fund, of which we are aware, upon which such expenses can legally be charged. They are not a charge upon the county rate; and in many townships the vestries refuse to pay them from the constable's or poor's rate; they then become a charge upon the prosecutor, who is frequently, from poverty, unable to bear them; and in numerous instances offenders are permitted to go unpunished, for fear of the expenses previous to committal.

The Act of 7 Geo. IV. c. 64, sec. 22, authorizes magistrates to grant an order for the expenses of the prosecutor and witnesses in *attending before them*, but does not extend to the apprehending and keeping the prisoner; and the 28th section of that Act only applies to such cases as are tried at the *assizes*. The discretionary power of the magistrate, under the 22d section, is so circumscribed by the order of court of January session, 1827, (a copy of which we enclose,) that it is very rarely acted upon in this district.

There is no association in this district for the prosecution of felons. In nine cases out of ten the clerks to the magistrates conduct the prosecutions, which they do for the usual county allowance, and without any extra charge upon the prosecutors. This is also a saving of expense to the county, because the attorney for the prosecution is only allowed in *one* case for his journey and loss of time in attending the quarter sessions or assizes, whatever number of prosecutions he may have to attend to.

In this district the magistrates make a point of committing all offenders to the quarter sessions, rather than to the assizes, however aggravated the offences may be, (if they do not amount to capital charges,) the expense of the prosecution in the former case being about £7. 10*s*., whereas in the latter it would be about £45. We have had several prosecutions for horse and cattle stealing within the last two years, which have not cost the county more than £7. 7*s*. each, upon an average.

Communication from G. SAFFERY, *Esq., Market Rasen.*

The magistrates take this opportunity of suggesting that greater powers be granted to them for the remuneration, *at their discretion*, of constables, especially in their search after, apprehension of, keeping in custody, &c., persons suspected of felony. At present, unless the constable not only succeeds in apprehending the party, but that party is afterwards *committed* to prison, there is no power vested in the magistrates for remunerating the constable from the county rate for the time, trouble, and expense at which he may have been.

The consequent uncertainty of constables being paid even their expenses out of pocket has, in some instances, been known to deter them from seeking after and apprehending persons suspected of felony, and especially in cases where the poverty of the party upon whose person or property a robbery or felony may have been committed places it out of his power to recompense them.

Communication from R. FURLEY, *Esq., Ashford.*

A great change is required in the management of our county police. I do not consider there are more than five really efficient constables in East Kent. Respectable individuals are frequently appointed at courts leet, who find substitutes for a small sum, and these persons blunder through the

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year, and when they are most wanted are never to be found. Good district constables, nominated by the parishioners, and appointed by the justices, and properly paid, would, in my humble opinion, render essential service.

Communication from Messrs. AUSTEN *and* CLARIDGE, *Sevenoaks.*

We also enclose you the rules made at the general quarter sessions for this county as to the allowance to constables for the apprehension, maintenance, and conveyance of prisoners, both before and after commitment, and have to inform you that the constables' allowances are regulated according to these rules.

With respect to high constables, we should state that some difficulty has lately arisen as to the collecting and conveying to the treasurer the county rate ordered to be raised. For several years the constables have collected the rate from the different parish officers, as precepts were issued to them for that purpose, and have carried it over to Maidstone to the treasurer, for which they received a small remuneration from each parish within their district, for their loss of time and expenses; but latterly several parishes have refused to make any allowance for their trouble and expense, saying that the county should pay it; but on application being made to the magistrates at their general sessions they have also declined to make any allowance, and it does not appear that the constables have any remedy against either of the parties. If there is to be a new Act as to the county rate, it seems expedient that some provision should be made on this head, as it is hard that the constables should have this trouble and expense without any remuneration.

Communication from G. CURTEIS, *Esq., Canterbury.*

With respect to constables, I may be allowed to observe that the magistrates' power in compelling payment of remuneration to them for business done by them, otherwise than for parishes, (for instance, upon charges of felony before commitment, and of misdemeanors, and for serving and attending to prove service of summonses, &c.,) is very insufficient; and, indeed, the same observation applies to the clerk's fees, for recovery of which there is no summary process, except for such as may have been awarded by the justices to be paid by one of the parties to the other.

Communication from T. BIRCHALL, *Esq., Preston.*

The allowances to constables in this part of the county do not include anything for the *apprehension* of offenders, and it is conceived there are very few cases (only those where specific rewards were formerly given by Government) in which an allowance on that head can legally be made.

The allowances for *maintenance* of prisoners *before commitment* are borne by the townships without the intervention of the magistrates, and *after commitment* they are included in the allowances for conveyance, which allowances are strictly confined to the amount actually expended, and which is always (according to the statute) sworn to. The usual rate per mile is about sixpence or eightpence.

Communication from J. STEEL, *Esq., Cockermouth.*

The sums allowed to constables for the conveyance of prisoners, out of the county rate, are—one shilling a mile if only one prisoner, ninepence each, per mile, if two prisoners, and sixpence a mile for each if more than two; and this is to cover the expense of coach-hire, horse-hire, &c. But constables are not allowed any sum for the apprehension or commitment of prisoners to the house of correction in Cockermouth if the commitment is signed here, unless they are paid by the prosecutors out of their own pockets; and this is a grievance which ought to be remedied, and a fund should be provided by law for the repayment of constables in discharge of their duty, in any place and upon all occasions where they are employed, if it is the intention or wish of the Legislature that the constable should be a respectable and an efficient officer.

Communication from F. G. COLERIDGE, *Esq., Ottery St. Mary.*

There is no document by which the magistrates are regulated in the allowances made to constables and others in respect of the apprehension, maintenance, or conveyance of prisoners; but the expenses in such cases are in the discretion of each magistrate before whom they arise, subject to an understanding that they are (with other heads of county charge) carefully revised by a committee of magistrates selected by the court of quarter sessions. I believe, however, that the *maximum* rate of allowance for *conveyance* of prisoners is 1*s.* per mile.

Communication from F. LEIGH, *Esq., Cullompton, Devon.*

I am also directed by the magistrates of this division to state to you that they are of opinion that it would be of public benefit if the expenses of constables in the search, apprehension, and maintenance of prisoners, were regulated by a table applicable to the kingdom at large, as the practice at present varies much in different counties, and in different divisions of the same county, and is at times the occasion of much trouble to themselves and other magistrates.

I am further directed to state to you that all the petty sessions in this division are *open courts*, and the attendance of barristers or attorneys has always been permitted for the conducting of cases before the magistrates, excepting only in such felonies as, for the ends of justice, from circumstances attending the particular case, have seemed to require a private examination.

Extracts of a Letter, with Enclosure, from E. W. Edgell, *Esq., Egham.*

In regard to apprehension by constables, the party requiring the warrant or summons pays all expenses, if not paid by the *prisoner*. In my opinion it would be desirable that the expenses of constables should be accurately defined, and that the payment (if charges are reasonable) should be imperative by the vestry; and that those persons who require their assistance on trifling occasions be compelled to pay them. It appears to me that the constables require instruction. The book published at the expense of the Society for the Suppression of Vice, for that purpose, requires amendment. It would be highly desirable that the inspection of weights and measures could be made more frequently; particularly those for the weight of bread, and the measure by which flour is sold according to the bushel or half bushel.

The constables are by no means sufficiently paid; and I consider that from want of pecuniary reward and encouragement they cannot be expected to enter *public houses after stated hours.*

The appointment of constables within the hundred of Godly is most justly complained of; it is effected at the court leet in Chertsey parish; and the most improper persons are chosen, if by any accident they may not happen to have been present.

Enclosure.

Duty of High Constable.—By an Act of Elizabeth, all soldiers and sailors are to receive relief (by means of the high constable in the first instance) from the county treasurer, as the warrant of direction to the overseers forbids that they should receive, under penalty of five pounds, any relief from them. Some alteration is required in this instance; or the county treasurers and the high constables should receive some positive and well-defined directions for the better and more ready execution of the Act.

It might be a subject worthy of consideration how far the high constable might with any advantage have control over the conduct of the inferior constables.

I refer to one case particularly, viz., that of a more general and frequent inspection of weights and measures. The customer had, till within late years, a means of discovering fraud, when two scales were in constant use, by means of placing the weight in either of them at his option, which is now universally withdrawn.

Tin Bushels and Half Bushels for Flour.—Those who make them should in the first instance *be responsible for their exact weight.*

Earthen Pots.—The manufacturers should also be answerable for the correct size, and the pots should bear their names. If such precautions are not adopted, it is to little purpose that the magistrates order them to be destroyed; as the same short measures may be again returned from the manufactories.

Neglect of Duty by Constables.—If a prisoner should be permitted to escape, the magistrate has only the power of recommending the officers and parishioners in vestry to prosecute. Where difference frequently arises, as circumstances may occur, in respect to their united opinion, then the constable becomes exempt from punishment.

Special Constables.—During periods of suspected riots, &c., an authority is deputed to magistrates to appoint special constables. If there be no summary punishment, or immediate remedy, in order to compel the disinclined and disobedient to act, the parish ought not to be allowed any reserve, in order that prosecution should be evaded at the sessions. I notice the above observations without being in possession of the different Acts to refer to, as I am now absent from home; but I do think that great inconvenience may occur from want of a compulsory clause to effect this object.

Power of Constables to detain suspicious Persons.—This power appears to be given to the police officers in and around the metropolis to a great extent. It might be attended with good effect if a limited power should be granted to the patrols and constables in the country, or that their power for that purpose should be well ascertained and explained to them.

Communication from the Durham Magistrates.

In consequence of the request of the County Rate Commissioners to the magistrates, that they would suggest any improvement which might have occurred to them connected with the expenditure affecting the county rate, the magistrates acting for Durham Ward beg leave to call the attention of the Commissioners to the Act 1 and 2 Will. IV. c. 41, whereby local magistrates are empowered to appoint special constables, and at a special sessions of the district to decide upon the rate of wages to be paid to such constables for their services; and to state that, during the strike of the pitmen at different collieries in this county in the years 1831 and 1832, when it was found necessary to call in the aid of special constables, no less a sum than £3,869. 9*s.* 11*d.* was paid for their services.

That at a general meeting of the magistrates on 23rd July, 1832, it was resolved no special constable should be allowed more than 5*s.* a-day, and that, whenever special constables should be employed more than one week at a place, the wages should in no case exceed 3*s.* 6*d.* a-day; yet that resolution was not in some cases adhered to, as the power of fixing the rate of allowance rested with the magistrates of the district where the special constables were employed: the consequence was, that the inconvenience arising from the inequality of payment, and dissatisfaction of parties receiving the smaller sums, was every day felt, and the expenses of the county seriously increased, in consequence of the orders of a very few magistrates dissenting from a course of payment previously resolved upon at the meeting above alluded to.

The magistrates consider it would be a great improvement on the present Act to have the payment and services of special constables regulated by the general quarter sessions, or by a general special sessions assembled for the purpose, and that such orders of the general body should be imperative upon the magistrates in the local districts.

They also beg leave to state that, during the period above alluded to, they found the Act inefficient, as well for the prevention as for the prompt suppression of disturbances; and further that they think special constables ought not to be called out upon the evidence of a single individual.

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Extract of a Letter from T. Alcock, *Esq., Kingswood, Epsom.*

I would beg permission to make one or two observations with reference to the expense of prisons and the inefficiency of the constabulary force in the country.

I am aware that the question of prisons is under the consideration of the Government. I would only beg to observe, however, that it appears to me that if magistrates had the power of awarding solitary confinement in darkness, in cases where hard labour, or imprisonment without labour, is at present the legal punishment, it would of necessity cause much more limited periods of confinement than are at present usual.

I would suggest that the vagrant, or the juvenile offender, who may be sent to hard labour for one month, would frequently be more severely punished, and without the possibility of contaminating others, or of being contaminated himself, were he confined in darkness for three days and nights. Thus, if the term of imprisonment could be reduced from thirty days to three, the average number of prisoners in all the houses of correction throughout the kingdom would be reduced in like proportion; and I should say that at the least it could not effect a less saving to the county purses than the half of the present expenditure under the head of Prisons.

With reference to the constabulary force in the country I would submit that it is not only a very inefficient police, but that magistrates are placed in great difficulty with reference to the expenses and charges for apprehending offenders and procuring witnesses. Where no commitment takes place upon examination of a prisoner brought up on suspicion, magistrates have no power to order any expenses. A constable, too, being directed to pursue a man on suspicion of felony, may be put to considerable expense in endeavouring to apprehend the same, and, having failed to do so, is obliged sometimes to go unrecompensed. This of course is a great preventive to the discovery of offenders. I have known, however, a sum of £50 ordered to be paid out of the county purse for the expenses of constables and witnesses in a single case; and at another time I have known constables obliged to submit to a loss of many pounds, who remain unsatisfied to this moment. Such, indeed, is the uncertainty of fair and reasonable recompense, that it is difficult to procure the zealous services of a constable, unless there is other reward offered than the law allows him. It would tend much, in my opinion, to the well-being of the country at large, if a regular police were established by Government throughout the kingdom.

I beg pardon for presuming to offer these opinions.

Communication from J. Yorke, *Esq., Thrapston, Northamptonshire.*

I take the liberty of stating that a great difficulty occasionally arises as to the power of magistrates ordering expenses to be repaid to constables. By way of explanation I will state a circumstance which occurred in this neighbourhood. A hawker was robbed; two constables, after considerable difficulty, secured the offender, who was brought before the bench. The prosecutor did not appear, having been heard to say he was alarmed at the probable trouble and expense he might be put to. Of course the offender was discharged. The constables then applied for their expenses, amounting to about 40*s.*, which were, on investigation, very reasonable. The magistrates, having no power to order the county to pay such expenses, ventured to recommend the parish to reimburse the constables, which they declined doing. It is a serious check to constables exerting themselves. I could name, on recollection, even a stronger case than the one I have mentioned, where a constable sustained considerable loss in endeavouring to apprehend a man for a very serious case of highway robbery.

With great deference I take the liberty of suggesting whether some plan could not be devised to meet this kind of difficulties.

Communication from C. Lane, *Esq., Badgmore, Henley-upon-Thames.*

As to the Apprehension of Prisoners.—It would appear that the apprehension of persons who have been guilty of felony or larceny would be much facilitated if some provision were made by which constables might be assured of being repaid expenses *justifiably* incurred in pursuing and endeavouring to trace them. It is apparent that, if an immediate search be commenced, the chance would be greater of tracing the perpetrators than if the delay takes place occasioned by constables waiting till the party injured, or some society, authorize their acting, which, in the latter case, requires the summoning of a committee, and in the former depends upon the pecuniary ability of the party. An active and most meritorious constable, (formerly in the metropolitan police force,) employed by the corporation of Henley, has lately mentioned to me cases in which he has been deterred from immediately acting, from his being unwilling to risk the expenses which would fall upon him, having expended several pounds lately which he cannot recover. In the frequency of persons being stopped on the road, every mode by which a facility can be given to immediate pursuit appears worthy of consideration, although I am aware that great precaution is necessary to prevent constables from incurring expenses without reasonable expectation of success: perhaps the sanction of two magistrates would afford this check. I am told that a magistrate is allowed to order, through the county treasurer, the payment of the expenses of a constable in the execution of a warrant, although a commitment does not take place, supposing the prosecutor unable to bear them: it is clear that such a power should exist; but I am not aware of any Act of Parliament authorizing it.

As to the Maintenance and Conveyance of Prisoners.—At present the parish in which a prisoner is detained until the case is heard provides his sustenance until his removal to gaol, or acquittal. But there seems no reason for this charge falling upon the parish in which the petty sessions are held, or which possesses a cage which a neighbouring one may not: a charge is also made by the cage-keeper for straw, &c., which is borne in the same manner. It seems, therefore, desirable that the magistrate, in case of an acquittal, should have the power of directing the overseer of the parish in which the offence has been committed to pay these charges, under the vote sanctioned by the quarter sessions; and, in case of a commitment, that this should be included in the order for payment of the expense of conveying the prisoner to gaol; and this order is strongly recommended to be framed in the mode adopted in the county of Berks, containing a receipt from the gaoler for the body of the pri-

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soner, as an assurance that the prisoner had not paid the fine previous to his being lodged in gaol, with the charges underneath, and the order of the magistrate.

County Rates.—It would appear desirable that every magistrate should be made acquainted with some particulars and expenditure of the county rates, although he may not, from the distance of his residence from the spot in which the quarter sessions are held, be able to attend them at the time the accounts are passed: it being borne in mind that the treasurer's accounts are, necessarily perhaps, entered into on a day when the other business of the sessions is not taken; by which practice none, except two or three of the neighbouring justices, attempt to investigate them, or even to obtain any particulars of them beyond the bare totals, or rather summary published in the county paper. It appears, therefore, highly desirable that each of the justices attending quarter sessions should be afforded some particulars of the county receipt and expenditure—a plan now adopted in Berkshire—and this should be effected by the adoption of a settled form, which should contain items for every source whence receipts can be anticipated, whether any sum be entered against such item or not; which might call attention to omissions or incorrectness in such returns, and ensure a publicity which the rate-payers have a right to expect.

Returns, in like manner, should be distributed from the gaoler, containing a statement of all accounts passing under his department, with a statement of the stock in hand at the last session, with the subsequent consumption and the amount of stock left: this has also been adopted with much success in Berkshire.

I also beg to call attention to the claim of counties for allowance in respect of prisoners confined under the Excise Laws, and to refer to the 7 and 8 Geo. IV., c. 53, sec. 113. Upon my applying to the Commissioners of Excise for an allowance to the county in respect of the maintenance of a prisoner who had been confined in the county gaol for three months, on nonpayment of a fine for hawking spirits, I am informed by them that "the offence was a police as well as a revenue regulation; and that, under the regulation of 4 Geo. III., the county are entitled to his labour, and therefore bound to support him; and that under the present state of the law the Board had no power to order the county to be reimbursed any expense to which it may, under the circumstances, have been put." Although I have again called the attention of the Commissioners to the fact of the clear words in the Act alluded to, referring to all commitments under the Excise Act, in virtue of which this commitment was made, and of the Excise officer claiming the spirits seized in his Majesty's name, the Commissioners have adhered to their determination. It is to be borne in mind that the fine imposed by the Excise Act would, if received, have been paid over to Government, and would not have been added, like other fines, to the receipts of the county; a circumstance which no doubt gave rise to the provision alluded to; and if the clause is not sufficient to effect the indemnity sought, it would be highly desirable that some such provision should be made. It may be observed that keepers of beer-shops having failed in their recent universal application for licences as public houses, for the sole purpose of enabling them, by a spirit licence, to retail that species of drink, magistrates being unanimously desirous of preventing the evils which the greater facility of obtaining spirits would create, the practice of clandestinely selling spirits at beer-shops may be expected to prove of more frequent occurrence, and the consequent commitment of persons for the offence will take place for the term of three months, the shortest term allowed by the Act, in default of the mitigated penalty of £25.

Communication from F. Walker, *Esq., Ambleside, Westmoreland.*

I beg to add that the magistrates in this district do not possess any document or authority relative to any allowances to constables or others in respect of the apprehension, maintenance, or conveyance of prisoners, whether before or after commitment, and that, for want of such document or authority, much squabbling and disagreeable intercourse with the officers have frequently occurred. Hitherto, in such instances, the magistrates have been compelled to order such allowances as the particular circumstances of the case seemed to require, with reference, nevertheless, not only to the daily earnings which the constables or others in their own calling could, on an average, make at home when not so officially employed, but also to the extra expenses incurred and necessarily incident in and about the apprehension, maintenance, or conveyance of prisoners.

Now, for remedy of this defect, the magistrates beg to suggest that some stated fees in consideration of loss of time and expenses should be settled as a guide for them. I beg leave also to state that, in one instance of some moment, considerable, yet reasonable charges were made by constables and others in ATTEMPTING to apprehend a felon who had absconded, and that such charges still remain unpaid, in consequence of the Judge at the assizes conceiving that he was unauthorized to order the payment, as the Act of Parliament is confined to the case of an *actual apprehension* of a prisoner, and not in any *attempts* to apprehend him; the consequence is, that the constables are very loth to move in any case since the above happened.

Communication from Rev. W. R. Churchill, *Colliton House, Dorset.*

I beg leave to suggest that the expense of a guard in conveying prisoners to gaol may, in ordinary cases, be saved by obliging parishes to provide handcuffs; as a single constable can more effectually prevent the escape of a prisoner, when his hands are secured, than two persons without handcuffs could.

I beg also to suggest that the mode of appointing constables at the courts leet is a great impediment to the due administration of the laws, and the preservation of the peace; for it often happens that tithings are very distant from the places where these courts are held, and the circumstances attending the tithing, as well as the characters of the persons liable to serve as constables, are wholly unknown to them. As an instance of this, a single street in the populous parish of Fordington, a suburb of Dorchester, inhabited by the worst description of people, is in the liberty of Bindon, fourteen miles distant, and it is consequently impossible for the court to ascertain whom it is proper to appoint as constable.

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The right of appointing constables, and the manner of doing it, require revision, as the present mode is a remnant of the feudal system, inapplicable to the present state of society.

Communication from J. SILLIFANT, *Jun. Esq., Devon.*

The only suggestions which I think it desirable to make are on two points: first, the conveyance of prisoners. It has been a general practice to allow constables a certain rate per mile for the conveyance of prisoners to the place of confinement. Much may be saved to the county by obtaining *contracts* for conveyance. In the division in which I have been acting the cost of conveyance fifteen miles used to be ten, twelve, or even fourteen shillings; since a contractor has been obtained by tender it has been done at five shillings. I would only add that power should be given to magistrates to swear the contractor as a constable *for this special purpose.*

The second point which I would submit for consideration is the propriety of extending the power of taking bail, instead of committal, for certain minor charges. Amongst the cases which have come before me, as chairman of the sessions, I have frequently seen reason for lamenting cases of imprisonment before trial on charges which could not be overlooked, but still so trifling, that one cannot but lament that the county should suffer the expense of the prisoner's detention, and that the prisoner (*whether convicted or not*) should have suffered the contaminating influence of prison life. By enabling magistrates in certain cases to take bail these evils would be avoided; and even the forfeiture of bail (say £20), in case of the non-appearance of the party charged, would act as a sufficient penalty to him and *his friends*, and be thus even a better guarantee to society than imprisonment with its attendant evils.

Communication from J. WATSON, *Esq., Clifton Lodge, Workington.*

For business done out of sessions I charge no fee, and do not allow any to be tendered; on the contrary, in districts where the only peace officers are constables of the common law rotation, serving by substitute, the magistrate has frequent claims on his purse for services of constables, which they cannot otherwise be required to render.

I am unable at present to suggest any improvement connected with the expenditure affecting the county rate, except in stating my opinion that, if the inhabitants of towns having no local police could be induced or obliged to avail themselves of the Act of 3 and 4 Will. IV., c. 90, (an effective statute for purposes of police and watching,) it would tend to prevent the commitment and facilitate the detection of crime, and therefore would in some degree relieve the county rate.

Communication from T. R. WARD, *Esq., Englefield Green, Egham.*

I apprehend your inquiries are principally with a view to ascertain what burdens are thrown upon the county by orders of magistrates, and likewise whether any uniform system of charge is adopted by magistrates in counties generally.

With respect to the former, I have never made any order on the county of Berks but for the conveyance of prisoners to gaol, and for their maintenance *after* commitment, according to rates settled by quarter sessions; and in one case, lately, for care and maintenance of a prisoner before commitment. I am, however, doubtful whether the latter will be paid by the treasurer, as I do not consider it a strictly legal charge. It amounts, however, to only 4*s.*, and was ordered in consequence of the prisoner having been apprehended on a Saturday evening on a civil charge, and not being able to be brought before me until Monday morning. He was therefore placed in Windsor gaol for safe custody, the charge for which (it not being a county gaol) was the 4*s.* I have ordered the treasurer to pay.

I am not aware of any law authorizing any charge upon the county for the apprehension and maintenance of prisoners before commitment. In some places parishes pay such charges (but illegally, in my judgment), in others the prosecutor, and in some the county does not object (also, I think, illegally). I know nothing that wants regulation more than that. It sometimes happens that a warrant for felony is put into the hands of a constable, who either executes it at a considerable expense, relying on the prosecutor for repayment, or does not execute the writ at all, if the party absconds, and the prosecutor is poor, because he has no one that he can legally look to for remuneration.

I recollect a few years ago, in Surrey, a very notorious character was charged with a serious felony. He passed into London, and the constable did not execute the warrant, because he had no one to look to for his expenses, the prosecutor being quite unable to pay. He applied to the magistrates to know who he was to look to for his expenses, the parish objecting on account of the law not allowing such a charge to be made in their accounts. The magistrates thought it too serious an affair to be passed over, and they ordered him to execute the warrant, and guaranteed his expenses, which they afterwards paid, to the amount of £7 or £8;—but that ought not to be.

Sir Robert Peel's Bill, authorizing the payment of expenses to prosecutors and witnesses upon trial, does not recognise any charges for expenses previous to commitment.

Communication from J. FLEMING, *Esq., M.P., and others, Magistrates of Southampton.*

We are not aware of any document relative to allowances to constables or others in respect of the apprehension and maintenance of prisoners *before* commitment; but, under the 7 Geo. IV. c. 64, s. 22, we allow a sum proportionate to the loss of time and the expenses actually incurred in respect of such apprehension and maintenance.

We are not prepared to suggest any improvement connected with the expenditure affecting the county rate, except that we consider the allowance to petty constables (viz., 2*s.* per day, when actually employed) an inadequate remuneration, as they are generally selected from the poorer classes, and are

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often compelled to leave their regular business and employment at the very time when it more particularly requires their attention.

We think it highly desirable that the constabulary force in counties should be put on a different footing, and particularly that the office of constable should be a permanent one; for, while the appointment continues to be annual, the officer will become acquainted with the duties just as his term of office expires.

We are, Sir, your very obedient servants,

JOHN FLEMING. EDWARD H. HULTON.
P. RAINIER. P. BRETON.
A. R. DOFTEN. JAMES WELD.
J. BARLOW HOY.

Communication from C. T. THURSTON, *Esq., Talgarth, Merionethshire.*

With regard to the general expenditure of the county rate I have to observe that the magistrates in quarter sessions, from the extreme pressure on the landed interest, are, perhaps, not sufficiently liberal in their allowances to constables. This would probably be remedied if the Government, in addition to the relief given to the counties by taking half the expense of criminal prosecutions on itself, were to take the whole, leaving only the expense of apprehension and guarding prisoners to be locally defrayed.

There is a defect in the coroners' law regarding allowances. The magistrates in quarter sessions refuse to burden the county rate with any charge beyond the 20*s*., and 9*d*. a mile. The medical men and constables have no fixed legal allowances in such cases, and in some instances are not paid at all; in others, I believe, individual magistrates have contrived to smuggle such accounts through the audit; but it ought to be distinctly understood where they are to get remuneration, whether from the coroner's own pocket, or from parishes, or county. But it would be very desirable, both for the purposes of justice and the saving of expenses, to alter or do away with the coroners' law altogether, as, from what I have personally observed in this part of the kingdom at least, I am convinced that it is only a convenient court for criminals.

Communication from J. H. GROOME, *Esq., Chairman of the Framlingham Petty Sessions.*

The allowance to prosecutors and witnesses for expenses incurred prior to commitment is made by the magistrates, by certificate to be presented and allowed at sessions, and such allowance is guided by the time, trouble, and expense which the prosecutor and his witnesses may have been occasioned, according to the magistrate's discretion of what he considers the parties attending before him to give evidence are reasonably entitled to. Such allowances are grounded upon the authority of the statute of 7 Geo. IV., c. 64, sec. 22, and the rate of allowance is usually according to that made to witnesses attending at the sessions, viz., 6*d*. a mile for travelling expenses, and 5*s*. a day for loss of time; but the allowance to witnesses of the description of labourers is generally confined to what they would have earned had they been at work.

Communication from R. BETHELL, *Esq., Chairman of Petty Sessions, East Riding, Yorkshire.*

Referring to the expenses of prosecutions, it is now held that by the provisions of 7th Geo. IV. c. 64, s. 22, the prosecutor is not to be allowed the expenses of apprehending the prisoner, as he might have been under the 58th Geo. III., c. 70. It appears, I think, to be the general opinion of the magistrates of this riding that it would be desirable that this *casus omissus* should be remedied; it is the sound policy of this county that the public should bear the expense of these prosecutions. In crimes of any magnitude the expense of apprehending prisoners is frequently large, and is much increased by the great facility which is now afforded to culprits of removing themselves to distant places. This defect is often met by a rather irregular and ill-defined allowance as a compensation for trouble and loss of time.

Communication from Sir B. LEIGHTON, *Bart., Loton Park, Shrewsbury.*

I beg to offer the following remarks for the consideration of the Commissioners. In regard to the emoluments of magistrates' clerks, I think it would be desirable that an annual statement of their gross and net receipts should be laid before the court of quarter sessions, so that the magistrates might readily see how much their salaries amount to. If any change is made in the table of fees, I consider it ought to be so regulated that those paid by the public, such as signing rates, orders under the Highway Act, &c., should be as small as possible, while those paid on convictions might be higher; for magistrates generally in imposing a penalty take into consideration the amount of costs.

The manner of appointing constables, in my opinion, might be advantageously altered, for the court leet, jury, and steward, being irresponsible parties, and the jurymen not liking the burden themselves, often appoint persons of bad character, and sometimes for the purpose of keeping them off the parish.

Probably the inconvenience and expense arising from portions of counties being isolated in other counties, and consequently at a great distance from the assize town, have been already noticed by the Commissioners. Durham, I believe, is the county where this inconvenience is most felt; but in Salop and Denbighshire are two detached portions, Hales Owen and Careghova, which are in consequence distant about 40 miles from their assizes. The remedy for this evil I imagine to be easy, by applying that principle of the Reform Bill which enacts that those parts of counties shall vote for the shires where they are locally situated.

The printed statement of the expenditure in some counties is published in such a manner as to be

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of little use in showing sufficiently the different items; and, as a detailed account of the expenses is one of the best checks upon any improper expenditure of the county rate, it is perhaps one of the most desirable objects to be obtained in every county. Staffordshire and Lancashire have published detailed statements which might serve as a model to other counties.

Communication from R. J. Nevill, *Esq., Carmarthenshire.*

The allowance for the apprehension and maintenance of prisoners is subject to variation according to the particular circumstances of each case, and the committing magistrates usually certify the constable's bill, which is altered or allowed at the quarter sessions according to the discretion of the magistrates then assembled.

I have for the last three years been the treasurer of an association for the prosecution of felons for the parishes of Llanon, Llangennech, and Llanedi, but I am happy to say I have not since its establishment had to make a single payment for the apprehension or prosecution of an offender. The society was established principally for the purpose of exciting a dread of crime, and hitherto it has very effectually answered the end for which it was designed. One of the greatest deficiencies we experience is from our not having the power of compelling the attendance of witnesses, and if this could be remedied I have reason to think the public would be materially benefited.

Communication from J. Lechmere, *Esq., Steeple Aston, Woodstock.*

I would humbly submit to the Commissioners that the country in general find our present constabulary force extremely defective, and likely to continue so under the present system. One of the causes is, that constables are generally changed at the expiration of a year, just as they are beginning to learn *something* of their duty. Another is that they naturally prefer minding their own rather than the public business. I know of no instance of a constable laying an information against a keeper of a beer-house for keeping his house open after hours in this district; one great cause of the increase of crime, and a strong proof of their neglect of duty. It is in contemplation to establish a regular police in this district by subscription, similar to that established at Stow-in-the-Wold, which has been productive of the best results as far as I have been able to learn.

If postmasters were not charged post-horse duty on any horse or horses conveying prisoners to gaol, it would be some benefit to the county rate. A regular police would, in my opinion, much increase the county rate for the first three months, but would ultimately relieve it much.

Communication from the Magistrates of Whitby.

The magistrates beg leave to direct your attention to the fact that no allowance is made in the North Riding of Yorkshire by the quarter sessions to the constable, or any other person, for the apprehension of any felons, &c., previous to commitment, which of course in most instances entails a loss upon the petty officers. The same observation will apply as to vagrants; and it may also be proper to state that the sum allowed by the general rules for the conveyance of vagrants from places which, like Whitby, are at a considerable distance from the place of imprisonment, is so inadequate, as in every instance to leave a deficiency, which has to be met by the constable out of his own private funds. The principal acting constable for Whitby states that the loss to him in each case of commitment for vagrancy is not less than 30*s.*, and that in the course of the year the total loss under this head, and that of the apprehension of felons, &c., is about £15 or £16.

Communication from J. Thomas, *Esq., Christchurch Hundred, Monmouth.*

The present mode of appointing constables at court leets is extremely bad: most of the petty constables are paupers, quite unfit, and ought not to be appointed; and the rate should be paid by the overseers to the treasurer instead of the high constables, who are often defaulters, and committing an insolvent is no satisfaction. In proof of the badness of the present system I mention that, from the negligence of a chief constable, the town of Newport, and parish of St. Woolas, became in arrears for county rates to the amount of several hundred pounds; and the justices in quarter sessions, finding the impracticability of recovering the arrears, compromised the matter for less than about one-half. Except in the towns there is not any place for securing prisoners previous to commitment, but the usual places they are taken to are public houses, which are very expensive and hazardous. Every district should have, as near the centre as possible, a usual place of holding petty sessions.

Several of the most opulent parishes are not rated at half their value, and the remedy by appeal to the quarter sessions is so troublesome, expensive, and precarious, that few parishes will venture to remedy the evil; the justices in quarter sessions ought to correct the inequality upon complaint, without appeal. Newport and St. Woolas are rated at about half the actual rent, while others are rated according to rackrent; and in the hundred in which they are situated are innumerable prosecutions for very trifling offences, which might be justly determined by one or two justices on the spot, thereby saving the county unnecessary and heavy expenses.

Communication from the Magistrates of Swindon, Wilts.

Swindon.

With reference to any document relative to allowances to constables or others, in respect of the apprehension, maintenance, and conveyance of prisoners, the magistrates have to state that they have no such document; but, as regards the apprehension and maintenance of prisoners before commitment, they beg to state that their usual practice is to make an order upon the county, under the authority of

7 Geo. IV. c. 64, s. 22, for the reasonable expenses incurred, which, of course, necessarily vary according to the circumstances of distance, time, &c.; but the usual rate is :— Communications respecting Prosecutions, Police, Conveyance, &c.

To the prosecutor and witnesses 6*d.* per mile, for travelling to the place where the examination and committal of the prisoner take place.

In cases where the prosecutor and witnesses live only at a short distance from the place of committal, an allowance of about 2*s.* 6*d.* per day is made instead of a mileage allowance.

To a constable an allowance of 2*s.* 6*d.* per day to himself, and 1*s.* for the subsistence of each prisoner for every 24 hours, and 6*d.* for his lodging, is usually made.

With reference to any improvements connected with the expenditure of the county rate, the magistrates have only to observe that the whole system of the rural police, comprising the mode of appointing and remunerating constables, tithing-men, and other peace officers, and the duties to be performed by them, appears to require revision and amendment.

They would particularly observe that the county is frequently put to great expense in conveying to prison offenders convicted under penal statutes and fined in a trifling penalty, the amount of which they refuse or are unable to pay, and are consequently committed to prison, whereby the county is put to the expense of conveyance, often three or four times greater in amount than the fine imposed; and in some instances it has been known that the same offenders, who have refused before the magistrates to pay the fine, have paid the full amount soon after their arrival at gaol and obtained their discharge, having first put the county to the expense of their conveyance.

The same observation applies to persons who are committed for disobedience of orders of filiation, under the old bastardy laws, by neglecting to pay the sum ordered for the maintenance of the bastard child. Thus, in cases where the place of committal is far distant from the house of correction, a very great expense is thrown upon the county rate.

To the Commissioners appointed to inquire into the County Rates. — Ambrose Goddard, Thomas Vilett, Thomas Hyde Ripley, E. Goddard, H. Nelson Goddard, Thomas Calley.

Extract from Return of H. W. Woolrych, *Esq., Magistrate, Croxley Green, Rickmansworth.*

The following is the substance of two orders for constables' expenses which I have just signed; one upon a commitment to Hertford gaol, the other to take to St. Alban's Liberty gaol.

Hertford.	£.	s.	d.
Chaise, Watford to Hertford, 20 miles, at 1*s.* per mile	1	0	0
Constable's time	0	5	0
Allowance	0	2	0
Subsistence for prisoner	0	1	6
Order	0	1	0
	1	9	6

St. Alban's.	£.	s.	d.
Chaise, Watford to St. Alban's, 8 miles, at 9*d.* per mile	0	6	0
Constable (time)	0	2	6
Allowance	0	1	0
Subsistence for prisoner	0	0	9
Assistant*	0	2	6
Allowance for assistant	0	1	0
Order	0	1	0
	0	14	9

* A rescue being expected.

Communication from the Magistrates at Kettering, Northamptonshire.

The following enactment of the 7 Geo. IV. c. 64, is the authority on which the magistrates in this district act, relative to all allowances to constables or others in respect of the apprehension or maintenance of prisoners, whether before or after commitment.

Section 22.—"And with regard to the payment of the expenses of prosecutions for felony, be it enacted, That the court before which any person shall be prosecuted or tried for any felony is hereby authorized and empowered, at the request of the prosecutor or of any other person who shall appear on recognizance or subpœna to prosecute or give evidence against any person accused of any felony, to order payment unto the prosecutor of the costs and expenses which such prosecutor shall incur in preferring the indictment, and also payment to the prosecutor, and witnesses for the prosecution, of such sums of money as to the court shall seem reasonable and sufficient to reimburse such prosecutor and witnesses for the expenses they shall have severally incurred in attending before the examining magistrate or magistrates and the grand jury, *and in otherwise carrying on such prosecution*, and also to compensate them for their trouble and loss of time therein; and, although no bill of indictment be preferred, it shall still be lawful for the court, where any person shall, in the opinion of the court, *bonâ fide* have attended the court in obedience to any such recognizance or subpœna, to order payment unto such person of such sum of money as to the court shall seem reasonable and sufficient to reimburse such person for the expenses which he or she shall have *bonâ fide* incurred by reason of attending before the examining magistrate or magistrates, and by reason of such recognizance or subpœna, and also to compensate such person for trouble and loss of time; and the amount of expenses of attending before the examining magistrate or magistrates, and the compensation for trouble and loss of time therein, shall be ascertained by the certificate of such magistrate or magistrates granted before the trial or attendance in court, if such magistrate or magistrates shall think fit to grant the same; and the amount of all the other expenses and compensation shall be ascertained by the proper officer of the court, subject nevertheless to the regulations to be established in the manner hereinafter mentioned." 7th Geo. IV., c. 64, s. 22.

In this division of Northamptonshire there is no fixed rate of allowance under each head of charge in respect to the apprehension and maintenance of prisoners; and the principle on which the amount of allowance is regulated, as observed by us, is to ascertain, with as great regard to economy as possible, the amount of expenses *bonâ fide* incurred according to the distance, length of time engaged, and other circumstances, and having due regard to the charges being reasonable, so as to afford a fair but moderate remuneration to the prosecutor, constables, and witnesses, according to the plain intent and meaning of the above-cited clause. These expenses are assessed by the committing magistrate previous to the trial of the prisoner, and are allowed by the clerk of assize at the assizes, or the clerk of the peace at sessions, on production of an order from the committing magistrate.

Communication from the Magistrates of Egglescliff, North Riding of Yorkshire.

In reference to that part of your circular which requests us to suggest any improvement that may have occurred to us connected with the expenditure in respect of search, apprehension, examination,

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conveyance, or maintenance of prisoners, or with any other head of expenditure affecting the county rate, we beg to state that we think it highly expedient that magistrates should be reinvested with the power to allow the costs of search and apprehension in cases of felony, and we also think it might be proper to allow the costs of prosecutions for the concealment of the birth of illegitimate children.

Communication from S. WALLER, *Esq., Cuckfield, Sussex.*

In regard to your inquiry respecting the fees paid to high and petty constables, I am directed by the magistrates to state to you that they are informed that the high constables receive no fees or emoluments whatever, but incur expenses without remuneration in attending the quarter sessions and in the service of precepts in their respective hundreds, and that the petty constables receive 1*s.* for the service of a summons within the parish for which they respectively act, and 3*s.* 6*d.* per day for attending the petty sessions upon the return of summonses and warrants executed by them; these fees are paid by the parties concerned, but the magistrates are informed that they do not exceed upon an average the actual expense incurred by the petty constables.

Communication from Clerk to Magistrates of Guildford.

The expenses incurred before commitment are sometimes paid by the parish, and sometimes they are obtained by a certificate from the committing magistrate, which is produced in court after the trial of the prisoner, and then the allowance is included in the order made by the court for payment of the expenses of the prosecutor and the witnesses.

Communication from the Magistrates of Sussex.

Sussex (*to wit*).—This court is of opinion that the treasurer of a county is not authorized to pay any sum of money whatever for any expense incurred, relating to the apprehension of a prisoner, previous to his being taken into custody, without an order from a judge of assize, or a court of quarter session, or to a special constable, under an order made by the magistrates, and allowed by the session, pursuant to the statute 41 Geo. III., c. 78; but that he is authorized to pay the expenses incurred from the time of apprehension up to the time of the prisoner's being delivered into the custody of the gaoler, in case he is committed.

By the Court, LANGRIDGE.

Communication from C. B. CHALLONER, *Esq., Portnall Park, Surrey.*

I very rarely impose other costs than the constables'; and when I do, I make a return, together with ALL *fines* imposed, to the clerk of the petty sessions at Chertsey, who, according to a recent regulation, is obliged to transmit a printed form properly filled up, containing an account of ALL *fines* imposed by magistrates within the hundred, to the quarter sessions twice a-year. For a more full and accurate return of the information desired by the Commissioners, may I beg to call their attention to a return made about five weeks ago by a committee of magistrates for the county of Surrey, and signed by me as chairman of that committee? and among other matters the attention of the Commissioners was most urgently called to the evil which at present exists in almost every county in England, (with the exception of Middlesex, which has a local Act,) as regards the *collection of the county rates* by the *high* constables, who seldom, if ever, give security, when in some districts they have several thousand pounds in their hands, to the great risk of the parishes; whereas if the law would allow (which it does not at present) of the county rate being *paid directly* by the overseers of each parish into the hands of the treasurer of the county, *or* HIS agent, it would at once remedy the evil complained of.

Communication from A. DONOVAN, *Esq., Framfield Park, Sussex.*

The fees of the head constable of the hundred are paid by the parishes, and are not regulated by any fixed principle, each requiring the same amount which his predecessor received.

Communication from the Rev. W. BARNES, *Richmond, Yorkshire.*

As a member of the finance committee for this Riding, (North Riding,) I made and carried a resolution to this effect: That, instead of 1*s.* in the pound to our chief constables for collecting the county rate, 9*d.* should be paid them in those wapentakes where there are two chief constables; and, as one dies off, the duty to be performed by one chief constable at 6*d.* in the pound. This resolution took effect in July last.

Communication from R. FRANKLIN, *Esq., Bridgend, Glamorganshire.*

The allowances to constables, in respect to the apprehension of prisoners and their maintenance *before* commitment, have not been fixed, but are left in each particular case to the discretion of the committing magistrates, who, in making such allowances, take into their consideration the situations in life of the constables, the value of their time, and the distance they may have travelled.

The high constables in this county do not receive any remuneration for their services but when called upon to execute warrants, and on those occasions, which, in the hundreds of Newcastle and Ogmore, very rarely occur, they are paid according to the fixed scale, as far as the same applies; and in other cases the magistrates act upon the same principle as they do in allowances to petty constables.

Communication from Sir HENRY FITZHERBERT, *Bart., Tessington Hall, Ashbourn.*

In reply to the request of the Commissioners, that the magistrates should add any suggestions respecting the county expenditure incurred for the search, apprehension, examination, conveyance, or maintenance of prisoners, I have only to submit that, in the counties of Derby and Stafford, the constables are not sufficiently or adequately remunerated, so that public justice suffers, and criminals are very frequently allowed to escape.

Communications respecting Prosecutions, Police, Conveyance, &c.

Communication from the Rev. T. BARNES, *Castleford, Pontefract.*

It is obvious to suggest that there would be a considerable saving by making the West Riding a *county* of itself—the population, the extent, the property of this division of Yorkshire require it;—the subject is unpopular, but justice demands it. The assizes should be held at Wakefield; it has been proved that £7,000 would provide both a second court and a lodging for the judges: an excellent house may be purchased for £4,000.

The various elections cost a great deal; these expenses should be thrown on the boroughs, of course excepting those of the county.

The high constables might be made more efficient police officers, or be entirely done away. I would recommend the former, with salaries of £200 a-year.

I am aware of the impolicy of giving rewards to constables or informers on *conviction*, but we sadly want more efficient petty constables to be always on the watch to *prevent* crimes; and they should be better paid under that head of *preventing*, rather than for "searching, &c., &c., &c., of prisoners."

Communication from the Magistrates at Fawley, Hants.

Fawley.

We are not aware of any document relative to allowances to constables or others in respect of the apprehension and maintenance of prisoners *before* commitment; but under the 7 Geo. IV., c. 64, s. 22, we allow a sum proportionate to the loss of time and the expenses actually incurred in respect of such apprehension and maintenance.

We are not prepared to suggest any improvement connected with the expenditure affecting the county rate, except that we consider the allowance to petty constables (viz., 2*s.* per day when actually employed) an inadequate remuneration, as they are generally selected from the poorer classes, and are often compelled to leave their regular business or employment at the very time when it more particularly requires their attention.

We think it highly desirable that the constabulary force in counties should be put on a different footing; and particularly that the office of constable should be a permanent one; for, while the appointment continues to be annual, the officer will become acquainted with the duties just as his term of office expires.

CAVAN, A. R. DRUMMOND.
HORATIO F. K. HOLLOWAY,

CRIMINAL PROSECUTIONS—ASSOCIATIONS—BAIL—DISCHARGED PRISONERS.

Communications respecting Criminal Prosecutions, Associations, Bail, and discharged Prisoners.

Extract of a Letter from the Earl of WARWICK, *Warwick Castle.*

Not being an acting magistrate myself, I cannot render such practical information as you can receive from others, but have enclosed the printed regulations of our Warwickshire quarter sessions, which will throw much light on the subject.

In respect to the expenses of prisoners chargeable on the county rates I beg to offer a few observations.

All prisoners of *every* description are sent from Birmingham to Warwick for trial; the consequence of which is, that *above* two-thirds of the commitments are from Birmingham alone. Adjourned sessions are obliged to be held a few weeks previous to the assizes, and even then the judges are often kept on their circuit to a very inconveniently protracted period; and yet it is a known fact that numerous cases are not prosecuted *at all*, from the fear of expenses attending commitments to the county town.

It has long been my own conviction that there should be a paid magistrate at Birmingham, with an efficient and well-organized police, and they should have a gaol of their own, where cases of daily occurrence should be dealt with on the spot, and cases of a more serious nature alone sent to the county town to be tried before a higher tribunal. I am satisfied, was that the case, not half the petty crimes would be committed that lead to more serious ones, and that the county rates for their prisoners would be reduced to one-third, towards which Birmingham now contributes; and putting the morals of the inhabitants out of the question, (which it would improve,) the checking crime on the spot must always be a much more saving system than punishing it at a distance, and at a remote period, with all the expenses attendant on transporting prisoners, witnesses, and legal charges of clerks, attorneys, &c., as at present resorted to. I do not wish to enter into a discussion on the best means of attaining an object there cannot exist two opinions on; the magistrates at Birmingham, I know, would render every assistance in their power to a paid magistrate, and, *I believe*, if carried into effect, it would meet the approbation of *all parties;* and I state this *advisedly*, having paid some attention to the subject.

Extract of a Letter from J. W. BUCHANAN, *Esq., Nuneaton.*

I am the solicitor to five associations in this neighbourhood for the prosecution of felons, and I cannot suggest any great improvement connected with the expenditure in respect of search, apprehension, examination, conveyance, or maintenance of prisoners, save the appointment of two or more efficient magistrates in this immediate neighbourhood, where the population amounts to more than 11,000; and much of the magisterial business thus created must be sent six miles to a bench, and the prisoner or prisoners be brought back the same six miles on their commitment; but, with regard to any other expenditure affecting the county rate, I think the greatest saving would be, in this county, to give a local jurisdiction to the town and immediate neighbourhood of Birmingham, whence two-thirds of the offences of the county come to be tried at Warwick, a distance of nearly 20 miles, and almost all of them for little paltry thefts. The next greatest improvement would be in reducing the period of imprisonment, and substituting confinement either dark and solitary, or solitary with light,

Communications respecting Criminal Prosecutions, Associations, Bail, and discharged Prisoners.

for a short period; for during a long confinement the county has the sustentation of the prisoner, and in most cases the parish has the charge of the family. If my first suggestion is not adopted, it would be a great saving of expense in a county like this to try the prisoners (except in cases of murder) alphabetically, and not let the witnesses against X, Y, Z, attend at a great expense to the county from the first day of the assizes, when A, B, C, might, by arrangement, be on their trials. I have been 14 days at Warwick, and have tried the first and last case, but without any control over the arrangement, and therefore could not leave, and yet, perhaps, had little or nothing to do in the intervening 12 days.

Extract of a Letter from L. Rolleston, *Esq., and Magistrates of Nottinghamshire.*

The magistrates beg to suggest that it would be desirable to vest the appointment of a clerk to the petty sessions in a majority of the justices of each division in which they are held, by which means some practical inconveniences, resulting from different clerks being appointed to act for the same petty sessions, would be obviated.

They are also of opinion that it would considerably diminish the expense of prosecutions for felony if a summary power were given to magistrates in petty sessions to convict and punish with a short imprisonment, or whipping, or both, juvenile offenders committing petty thefts; and in support of this suggestion they beg to call the attention of the County Rate Commissioners to the following instances which have recently occurred in this division of the county:

	Costs of Prosecution. £.	s.	d.
1. Francis Paulson, aged 12 years, tried at the sessions for stealing a gown, one calendar month hard labour and whipped	6	15	6
2. John Bellamy, aged 13 years, ditto, stealing a coat, three calendar months' hard labour	7	14	0
3. Peter Wheatley, aged 17 years, ditto potatoes, one calendar month hard labour	9	11	0
4. Samuel Parr, aged 13 years, ditto half-a-crown; Josiah Johnson, 12 years, ditto ditto; each 14 days' hard labour and whipped	9	4	0
5. Timothy Slater, aged 12 years, ditto a handkerchief, seven days' imprisonment and whipped	4	13	0
6. James Mackintosh, aged 14 years, ditto a hat, four calendar months' hard labour	5	8	6

To the costs in each of the above prosecutions may be added the fees of the clerk of the peace on the trial and conviction of each prisoner, viz., £1. 2*s.* 4*d.*, or £1. 4*s.* 4*d.*

The magistrates are also of opinion that a further diminution of the expense of all prosecutions might be accomplished by committing the offenders in all cases (where practicable) for trial at the sessions in lieu of the assizes, witnesses having to attend at the sessions in many cases only *one* day, and at the assizes frequently three or four days.

Extract of a Letter from the Magistrates of the County of Somerset.

And in answer to your request for information generally respecting "any other head of expenditure affecting the county rate" we beg leave to suggest that the county expenditure (in the costs of prosecutions, which amount to from £4,000 to £5,000 per year) would be greatly reduced if the assizes were holden at one central place. Although East Somerset contains 238,000 inhabitants, (being three-fifths of the entire county population,) only one assize in two years is holden within its limits. Of the other three, one is at Bridgewater, and two at Taunton, which is but seven miles from the south-west boundary of Somersetshire.

In 1834 a special committee of magistrates was appointed by the quarter sessions to investigate the heavy county expenditure of Somersetshire; and, as the most authentic and satisfactory information we can give on the subject, we forward the report, including a county statistical map, of that committee.

Arising out of this report two petitions have been for some time before the Privy Council, especially praying redress as respects the place of holding the assizes in this county; the one from the magistrates generally, in quarter sessions assembled; and the other from more than 1,000 of the principal landed proprietors, merchants, bankers, and other respectable rate-payers of the eastern and central parts of the county. On these petitions, so important in their prayer to the expenditure and public convenience of this large and populous county, the Privy Council have not yet signified any determination.

We beg further to suggest the measure of throwing the repairs of county bridges, and of the roads adjoining them, on the turnpike trusts, where they are situate on turnpike; and where they are not situate on any turnpike, then on the parishes in which they are situate, instead of being paid by the county rates. The cost to the county rate under this head, on an average for many years past, is £1,200 per annum; on this subject also we are corroborated by the enclosed report.

We would also take leave to suggest that public security and the peace of the county would be more effectually preserved by the appointment and remuneration of more permanent and efficient constables and tithing-men than are now appointed by courts leet or courts baron.

Extract of a Letter from P. B. Purnell, *Esq., Stancombe Park, near Dursley.*

To the suggestions of my last I would beg to add, were some change in the present laws respecting trials for offences to be considered, that I know of nothing that would save a county a vast expense under this head more than the transferring the trials for all trivial felonies and misdemeanors to certain petty sessions.

By such an alteration the judges would be saved immense labour, now necessarily bestowed on these very trivial cases, where counsel are seldom employed, often composing at a summer assize two-thirds of the gaol delivery.

The grand jury and petty juries would be saved the loss of half their time, generally most valuable to them.

Prosecutors and witnesses the same, besides the irksomeness of an attendance at a great distance from their families and homes, not on a serious matter, but on the loss of a piece of board, a saw, a spade, a fowl, a beehive, eggs, some butter, a cheese, a little hay, or other such trivial matter, the accumulation of which cases causes an attendance of six or seven days at the assizes, and of three or four at the quarter sessions. The cost to the county of each such prosecution is often more in pounds than the value of the article pilfered amounts to in pence. And (by no means the least consideration) the offender would be saved from a long imprisonment before trial, frequently much longer than would have been awarded him as a punishment after conviction; and from the contamination of a prison, which, under even the best regulations, tends to form old rogues out of young offenders.

Nothing would more conduce to the encouragement of prosecutions for minor offences, of which, notwithstanding the number at the assizes and quarter sessions, not one half, I should say, of those where convictions would be certain, are brought forward, in consequence of the fear of not receiving adequate remuneration for the trouble, and of the irksomeness, inconvenience, and almost always certain loss, in attending to prosecute at the county town.

I would by no means recommend such a transfer to every petty sessions, but only to five or six conveniently situated ones in the most populous neighbourhoods, according to the size and wants of each county.

The line between major and minor offences might be readily drawn by the sworn value of the articles stolen, unaccompanied by the commission of burglary or by violence to the person.

The question as to a trial by jury, or by giving the justices in petty sessions a summary jurisdiction, would be one for consideration.

If the amount of the value of the articles stolen were not put at a very high standard, to render the petty sessions cognizable of the offence, there could be little harm in vesting the justices with a summary jurisdiction, as under the last Trespass Act.

The collecting a jury would be onerous to the neighbourhood, expensive to the county, and involve some cumbrous machinery.

But, in giving up the trial by jury of these petty offences, the security of the subject might be consulted by making in lieu of it the attendance of three justices at the petty sessions necessary to the hearing of such cases; and their coinciding first in giving a verdict, and next in passing sentence, imperative by such new law. The *maximum* of punishment in the power of the court to award would be of course fixed by the statute.

Extract of a Letter from J. PAYNTER, *Esq., Penzance.*

In the communication I had the honour to receive from you, suggestions on the subject of county rates, as well as other matters, are invited; I beg leave respectfully to offer the following, which I could not conveniently enclose with the returns.

In all, or nearly all, *misdemeanors*, the expenses of prosecution should, I would suggest, be defrayed from the county rate. The present state of the law on this subject too often operates as a denial of justice. In order to place this in a strong light, I beg leave to give briefly the particulars of a case which occurred in this neighbourhood about three years ago. A labourer, living in a lonely cottage, was awoke an hour or two after midnight, in the month of November, by some persons shouting under his window "Help! help! a man has broken his leg," &c. The labourer's wife went to the window, and had no sooner let it down than a gun, loaded with powder only it is supposed, was fired almost in her face; and directly after a second gun was fired in like manner. She dropped on the floor in a fit, as might be expected. Meantime the offenders made off. After some time it was ascertained that they were three men of property, who, in returning from a shooting party, had played off this wretched prank. The woman, being at the time in a state of pregnancy, was, for a long time, in great danger, and eventually recovered with much difficulty. When evidence had been obtained, the husband applied to me as the nearest magistrate. The outrage was most gross, but the husband had no means of bringing the case before a jury of his countrymen. What then was to be done? Under such circumstances I felt no scruple in becoming *myself* responsible for the necessary expenses. The case was tried at the assizes, and the guilt of one of the three being clearly established, he was fined fifty pounds and imprisoned. The charges of the prosecution exceeded forty pounds. I take no credit for befriending this poor man, as I am convinced that any other magistrate would have done the same. I merely give the case as one strongly in point.

I beg leave to suggest also the expediency of appointing *one clerk* only for each bench of magistrates. When each magistrate employs his own clerk the responsibility is too much divided, and many acts of negligence occur. Though the duties of a magistrate's clerk are many, yet there is no officially recognised person to perform them. There is another evil occasioned by the present system; one or other of the magistrates' clerks is almost sure to be employed as an *advocate* in cases before them. This is inevitable in places where the population and wealth are not sufficient to employ many solicitors. If one clerk only were employed, the business would be well worthy his attention, and he would treat it accordingly. The situation would become an object of laudable ambition to professional men. Such a clerk, being duly appointed according to legal enactment, would be recognised on all occasions as an official person, resembling in his functions the clerk of the peace. He would form a highly convenient and useful channel of communication with the Government. Each magistrate would, of course, be able to consult his own solicitor in private. Many other alterations in the magisterial system are required, such as courts of petty session on fixed and known days, the consequent abolition of the cumbrous and expensive process of *special* sessions for various purposes, &c. &c.: but the enumeration of these changes does not belong to the present occasion.

Extract of a Letter from J. PAYNTER, *Esq., Penzance.*

As you are indulgent enough to invite further communications to the Commissioners, I beg leave to mention a case in additional illustration of the hardship of not allowing all, or most, prosecutions for *misdemeanor* to be carried on at the expense of the county. At the last Cornwall assizes a man

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was indicted for maliciously stabbing and cutting, under 9 Geo. IV. c. 31. The jury not being quite satisfied that, if death had ensued, the case would have amounted to murder, acquitted the prisoner. The Act, as you recollect, does not permit his being found guilty of *manslaughter*. The judge, however, with the approbation, I am sure, of every one who heard the trial, recommended that an indictment for a *common assault* should be preferred, the grand jury being still sitting. The bill was found, but, from objections taken by the prisoner, the trial was put off to the next assizes. The means of the prosecutor are very small—the prisoner is wealthy—and either the prosecution must be abandoned, or these small means must be almost consumed in carrying it on. Meanwhile the *primâ facie* case is very gross. Two or three wounds were inflicted on the abdomen, through which the bowels protruded, and the prosecutor's life was in danger for some weeks. The attack was made in the night, and appearances certainly indicated waylaying and revenge. The prosecutor had no weapon. These sort of attacks are not common in any parts of England, and nowhere less so than here. It appears most desirable then that any instance of the kind should be promptly investigated. Yet, as I have observed, the loss to the prosecutor will be severe in carrying on the coming trial at his own expense. The assize town is 80 miles from the prosecutor's place of residence.

I observed, in my former communication, on the importance of appointing *one* clerk only for each bench of magistrates. The want of responsibility arising from the business being divided among several clerks occasions sad neglect, and many mistakes. As the quarter sessions have their clerk of the peace, so, apparently, should the petty sessions have its clerk of division—a duly-recognised official person, and answerable for the detail of all business. It may not be within the province of the County Rate Commissioners to entertain the question of *fixed sittings* of petty sessions; I cannot, however, omit the present opportunity of mentioning the importance of this subject. I do not hesitate to say that it is essential to the due administration of justice that every district in the kingdom should have its petty sessions to be held on stated days, which days, when once fixed, should not admit of any subsequent alteration. Nothing but *preliminary* matters should be heard elsewhere. All cases which the justice "hears and determines" should be confined to the stated petty session. Economy no less than equity would be consulted thereby. All the wretched and expensive machinery of *special* sessions would also be got rid of. These petty sessions should in no district be held at intervals exceeding a fortnight.

Extract of a Letter from E. Turner, *Esq., Truro.*

I would beg to suggest that where a magistrate has to examine into the circumstances of a petty theft, such as boys stealing candles from mines, it would be a saving, and a great one too, had a single magistrate a power to inflict instant punishment, by whipping or imprisonment, and not, as is now the case, frequently commit for three months before a session takes place. This would apply to all petty thefts, and I feel quite sure nothing tends more to increase crime ultimately than early imprisonment. I venture to express a strong opinion on this point, having seen the ill effects of imprisoning mere lads, possibly for stealing a fowl, a fagot of wood, or a silk handkerchief—the expense to the county not unfrequently being £30 for such a prosecution. Why would not instant imprisonment satisfy—or instant whipping? I would here also suggest that a public prosecutor might be beneficial—say one here—one at Penzance—one at Bodmin—to whom all examinations should be sent, and so arranged that nothing should be informal; experience attaching to such office forming security from error. The next matter I would suggest relates to the present bastardy law. I see much good in that law, but I see some evil; and I ask why should not a woman be called on to prove her case before the monthly bench of magistrates instead of the quarter sessions? The delay creates enormous expense, great feeling on the part of the woman, and affords a means of escape to the putative father. This would be a great saving to the county, as affording instant process, where a parish is likely to suffer. I submit this with great deference, but am certain I can do so with propriety.

Extract of a Letter from F. Marston *and* J. Brown, *Esqrs., Magistrates, Ludlow.*

The most serious charge affecting the expenditure of the county rate, which calls for alteration, appears to us to arise in the prosecution of felons. This expenditure at the assizes is controlled by the clerk of assize only—a person who has no interest in reducing the county expenditure, and therefore may be the more liberal on most occasions: he is often in communication with the attorneys, and sometimes their *town agent*. It seems to us advisable that this allowance should be granted upon the same scale as at the quarter sessions, and by the justices of the county, and not by the clerk of assize. At the last Salop October sessions 23 prisoners were tried for stealing property under £5, and only three for stealing above that value. A great saving would be effected, (at least one-eighth of our county rate,) if an Act was passed to empower two justices in petty sessions to convict for small and plain offences in felony; for, as justices are invested with authority to convict and punish trespassers, &c., under Peel's Acts, we see no reason why they should not have the like power in plain and trifling cases of simple felony; for instance, where the property stolen does not amount to £5. It would save the expenditure of the prisoner's maintenance in gaol before trial, and the whole of the expense of the prosecutions.

Extract of a Letter from F. Marston, *Esq., Aston, near Ludlow.*

	£	s.	d.
I have a statement by me of our county rate expenditure in the year 1804, which in that year was	3,283	16	4½
And of this there was paid on account of the militia (no longer a charge)	566	0	0
Leaving expended in that year	£2,717	16	4½

Contrast this expenditure with the year 1834 (the last account made up), and also deduct for vagrants, now no longer a charge. It appears that the expenditure is more than four times the amount.

Extract of a Letter from J. JONES, *Esq., Chairman of the Sessions, Carmarthenshire.*

To the desire expressed that I should supply any intimations calculated in my opinion to lessen the amount of those rates, I take leave to suggest that the plan adopted by the county of Carmarthen, of appointing a county solicitor to conduct prosecutions, has greatly lessened the expenses attending them, and has by no means impeded the due course of justice. Mr. Richard Rees has, for some years, with much ability and the utmost attention to his duty, acted as such solicitor, receiving a salary of £80 per annum, without any other emolument, being reimbursed all costs properly incurred and paid out of his own pocket. His duties are confined to the court of session, as the judges of assize decline interfering between prosecutors and their advocates. As, however, all extra costs, as between attorney and client, are not allowed by the clerk of the peace when a prosecutor retains any other than the county solicitor, a very great proportion of such prosecutions are conducted by him, and the proportion of expense incurred by the county in trials at the quarter sessions and those at the assizes is very much diminished in favour of the former, and the business (excepting as far as relates to the duties of the judge himself) is to the full as properly performed. The expense of prosecutions at the sessions of Carmarthenshire has lately increased by the attendance of counsel there within these twelve months, whose fees are now paid by the county, whereas no briefs were charged for by the county solicitor when the business was wholly conducted by him. If such solicitor could also conduct prosecutions at the assizes in the same way, much expenditure would be saved.

I need hardly suggest to the Commissioners the very obvious injustice of bridges being wholly chargeable on counties. In the poorer counties of Wales, the mountain torrents being numerous, a much larger proportion of expenditure is incurred by the inhabitants, less able from their relative situation to bear it, than by the opulent shires of England in general, where the rivers running through plains do much less damage to such structures. As bridges are built and repaired for the benefit of the kingdom in general, the expenses attending them ought, I humbly conceive, to be defrayed from the funds of the nation, care, of course, being taken to keep the expenditure within proper bounds. The sums expended in this and the neighbouring counties on bridges form the highest items in the county rates, and are most burdensome to the proprietors of land. Indeed, in this case, as well as in that of prosecution of offences, as the monied interest is as much benefited as the landholders, (to say the least,) the expenses attending them should be borne by all equally; and I have no doubt but the adoption of county solicitors, and a limitation of fees to counsel, the number retained, and other improvements, would most materially diminish the amount of money now paid in the latter case.

Extract of a Letter from J. H. TREMAYNE, *Esq., Heligan, St. Austell.*

I also enclose a copy of a resolution entered into at our sessions, recommending a certain scale of allowance of expenses previous to commitment, by 7 Geo. IV. c. 64, s. 22: as to expenses after commitment, the prisoners from most of our petty sessions are conveyed by contracts, varying according to circumstances.

We have no association for the prosecution of felons in our district.

It appears to me that a large sum may be saved annually by an alteration of the law for admitting prisoners to bail. If in all cases in which the offender has not been previously convicted, and also those which do not involve the punishment of transportation for life, full *discretion* was given to a single justice to bail the prisoner, whatever might be the nature of the evidence against him, much expense of maintenance, much contamination might be spared; and if in any case the recognizance were forfeited, the neighbourhood would get rid of the offender, and he must undergo the punishment of banishment from his home and connexions.

Extract of a Letter from W. E. TALLENTS, *Esq., for Magistrates of Notts.*

We are of opinion that the county rate would be diminished and the ends of justice better attained if magistrates in petty sessions were empowered to convict juvenile offenders of trifling thefts, and to punish them summarily by whipping and short solitary imprisonments.

We would also recommend that one clerk shall alone be considered as the clerk of the magistrates acting in petty sessions, and that he should be elected to and discharged from his office by the majority of such magistrates.

Extract of a Letter from D. BADHAM, *Esq., Bulmer, Sudbury.*

I am not aware of any association in this hundred for prosecuting felons: formerly there were two or three; but, after the sessions and assizes were empowered to pay the expenses of prosecutors and witnesses, they gradually declined, and have now altogether ceased.

Extract of a Letter from Sir T. HAGGERSTON, *Bart., and Magistrates of Northumberland.*

In answer to your inquiry for the name and address of the solicitor or treasurer to any association for the prosecution of felons in our district, there is an extensive one, called the Belford Association, of which Mr. Nicholas Weatherly is treasurer, and our clerk, Mr. Selby, solicitor; but prosecutions are now generally taken up by the clerk of the peace for the county, which are paid out of the county rate, the inhabitants preferring this, as being less expensive than employing their own solicitor.

Extract of a Letter from the Earl of CORK, *and Magistrates of Somerset.*

There is one prosecuting society in this neighbourhood, of which Mr. Charles Bayley, of Frome, is the solicitor; what his fees are we are unable to say, but we understand, from our clerk, that in some

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other associations the allowance is five guineas for a single case, and three guineas in each case, if more than one, at the same assizes or sessions, besides the disbursements to counsel in cases where the counsel's fee is not allowed by the county.

Minute of Proceedings of Magistrates in Sessions, Westmorland.

Westmorland, to wit.—The court is fully aware of the gross abuses and most unjust and unnecessary charges on counties pointed out in that part of the Report of the Commissioners of Inquiry into County Rates which relates to discharged prisoners on route. Justices in the South of England, by applying to convicted vagrants the provisions of 5 Geo. IV. c. 85, which seem to have reference only to prisoners who have been convicted on trial by jury, and undergone sentences of imprisonment passed by courts of assize and quarter sessions, have in fact revived the old Vagrant Law, which brought such heavy charges on the northern counties, and gave rise to every species of imposition, and which was repealed by 5 Geo. IV. c. 83. As the only effectual remedy, the court begs leave to recommend the total repeal of sections 22, 23, 24, 25, and 26, of the statute above cited, 5 Geo. IV. c. 85, provision having been made in a much better manner for supplying to discharged prisoners the means of returning to their homes by 4 Geo. IV. c. 64, s. 16 and 39. A moderate sum of money given to prisoners on their discharge, at the discretion of visiting justices, would answer the purposes intended, without opening a wide door to misinterpretation of law, and the frauds and impositions now practised on counties by false representations, counterfeit passes, &c.

Letter from General BATHURST, *Lidney Park, Gloucester, with three Enclosures.*

Lidney Park, Gloucester.

I beg to enclose, for the information of the Commissioners of Inquiry into County Rates, the within three letters, which relate to a subject considered in their Report.

In this county the greater number, by far, of such passes come from Haverfordwest; I wrote thither, and learned that the lists for last year were all genuine, as I had inferred from the low allowance, $\frac{1}{2}d.$ a mile. I was informed that they were mostly, if not all, vagrants, who congregate, it was stated, remarkably in that county, and such of them as are passed back this way come from the parishes in and near London almost entirely.

CHARLES BATHURST.

ENCLOSURE, No. 1.

Preston, January Session, 1836.

SIR,—The governor of our house of correction has shown me your letter, informing him of a woman who pretends to have been passed from this prison.

You are perfectly right in supposing the pass to be a forgery. There are no such magistrates as those by whom it purports to be signed, nor, in fact, are any passes ever given from this, or, as I believe, from any of the prisons in Lancashire.

The charge upon this county for such passes, real or fictitious, has been considerable. By greater vigilance in detecting imposition, or perhaps by more caution in granting them, it is now much reduced, and was only £38. 4*s.* 3*d.* for the last year.

I have the honour to be, Sir,

Charles Bathurst, Esq. Your most obedient servant,

T. P. ADDISON, Chairman.

ENCLOSURE, No. 2.

County Prison, Derby, January 4th, 1836.

SIR,—In answer to your letter, which I had the honour of receiving from you this morning, I hasten to inform you that there are not any justices of the peace of this county, visitors of the prison or otherwise, of the names of Smith and Richardson; nor any county prison except at this place, or any justice for the borough of Chesterfield of the name of Brown or Parker; and that all the passes which you refer to are forgeries.

The visiting justices of this prison have not granted a pass since I became the governor.

I have the honour to be, Sir,

Your most obedient servant,

JOHN SIMS, Governor.

ENCLOSURE, No. 3.

Cornwall County Gaol and House of Correction, Bodmin, 5th January, 1836.

SIR,—I beg to acknowledge the receipt of your letter of the 2nd inst., on the subject of a pass, stated to have been granted and signed by two visiting magistrates of this prison, named Collings and Harwood, for a woman named Mary Cockstead, to go to Lichfield, on the 25th November, 1834; and in reply thereto I beg to acquaint you that such pass must be fictitious, as no woman of that name was ever passed from this prison, nor are any of the visiting justices named Collings or Harwood.

I am, Sir,

Charles Bathurst, Esq. Your most obedient servant,

J. B. EVEREST.

Extract of a Letter from R. TUCKER, *Esq., Ashburton.*

I am also requested to state the extent of the fraud practised by persons having forged passes, purporting to be passes for discharged prisoners journeying to their parishes, who thus receive relief at a certain sum per mile from the overseers of the respective parishes, and which is afterwards repaid out of the county rate. The magistrates here have abstained from committing vagrants to the treadmill, on account of the heavy expense of their conveyance falling on the county.

Extract of a Letter from Mr. S. CAYME, *Perpetual Overseer, Yeovil.*

Communications respecting Criminal Prosecutions, Associations, Bail, discharged Prisoners.

Yeovil, Sept. 22, 1835.

Seeing by the public prints that, connected with your investigation into the disbursements of County Rates is included that of the allowance to discharged prisoners, and being convinced from my own observation that considerable impositions are practised, I have presumed to state to you my reasons for making that conclusion, and submitting for your consideration what, I humbly conceive, would be a remedy. In almost all cases the parties are women, with four, five, or six children, representing themselves as soldiers' widows going from Brixton to Plymouth, Falmouth, or Penzance; and I am almost certain that within ten months after I have had the same parties returning into Kent, where they soon get again committed, and allege their parish to be anywhere that may best suit, but not westward. I am positive that I had paid a woman twice before, with a large family, who I again paid on 28th August, 1835, but who had at that time but two children, one a girl 17 years of age, whom I had a strong impression accompanied her on a former occasion; but when I charged her with the imposition she denied it so vehemently, (although there were others who had seen her, and had the same impression,) that I was induced to let her pass. They say, when questioned as to their settlement, that they were sworn to it by the magistrate when discharged. Having stated my most decided opinion that, for the greater part, this class of paupers are impostors, I would, with all deference, submit to your consideration one or two plans by which the fraud may be detected and the impostor punished.

I would beg to propose that, at the time of their committal, their examination be taken, and a copy sent to the overseer of the parish to which they say they belong, with instructions to make every possible inquiry as to the truth of their statement, and communicating the result to the visiting magistrate of the place of their confinement, and, should their statement prove incorrect, they should receive a sound whipping and be discharged; and as this may be all done in a few days, no additional expense to the county would be incurred, neither would it be necessary to prolong the term of confinement except deemed necessary as a further punishment. Second:—As the pauper has to deliver up his pass to the officer at the last place he receives relief at, before he arrives at his place of presumed settlement, (and which place I doubt much if he *ever* arrives at,) the relieving officer at the last place should, instead of giving relief, be empowered to send a person or persons (according to the number in the party) to deliver them to the overseer, and if on inquiry they are not found to have any grounds for claiming a settlement, then application to be made to the nearest magistrate, who should order them to be whipped privately. I should imagine this reception would not be very agreeable, and would prevent their swearing to a place on which they have no legal claim. If an adult and one child travel but twelve miles per day they have 2*s.* 6*d.* for their day's work, or 17*s.* 6*d.* per week (good wages for a woman and child), by the present system. I cannot but consider the present mode pernicious, as leaving a large field for fraud. Should these few hints be in the least manner instrumental in checking the evil, I shall feel much satisfaction.

GAOLS, MAINTENANCE, DEBTORS, &c.

Communication from W. SEYMOUR, *Esq., Brighton, with five Enclosures.*

Communications respecting Gaols, Maintenance, Debtors, &c.

A very large part of the expense of gaols in counties is occasioned by the confinement of debtors, though I cannot conceive that there is any good reason why counties should incur any expense on that head. The rooms and cells of the gaol, the number of officers and their salaries, are all greatly increased on account of debtors, although in number debtors are very few in comparison with offenders.

ENCLOSURE, No. 1.

SUGGESTIONS.

1. That the jurisdiction and responsibility of sheriffs as to prisons and prisoners in gaols should cease, and *that* whether imprisonment for debt be abolished in part or in all, or not; but the sheriff to continue to execute all process, civil and criminal.

2. That all prisons should be gaols as well for debtors as others, under the control of justices in quarter session, subject to rules and regulations to be made under the new Prison Bill, as houses of correction now are.

3. That gaolers be made punishable as for a misdemeanor for the escape of a debtor.

4. That the creditor pay at the rate of 1*s.* per day for each debtor who cannot maintain himself, and 6*d.* per day for each debtor who does maintain himself, to the gaoler for the county. Of course this not to extend to the case of debtors when indicted for fraud, as they would then rank with persons charged with misdemeanors.

5. That the rules as to separation and silence be made to apply to debtors.

SHERIFFS AND PRISONS.

1. By the 19 Henry VII., the sheriff of every county shall have the keeping of the gaol.

2. By the 4 Geo. IV. c. 64, there shall be one gaol in every county.

3. The sheriff appoints the gaoler, but justices in quarter session fix the salary, and the same is payable out of the county rates. As, however, the gaoler is only the sheriff's servant, the sheriff may discharge him when he pleases. This may produce great confusion and mischief.

4. The sheriff is liable in an action of debt for the escape of a debtor from his gaol.

5. The sheriff is subject to fine and imprisonment on an indictment for the escape of a prisoner from his gaol charged with crime, whether the escape were voluntary or negligent on the part of his gaoler.

6. Generally speaking, in practice, the gaoler of the county gaol and the keeper of a house of correction, *under one roof*, is the same person; but he is then subject to a divided authority between the sheriff and the justices, which may prove mischievous.

7. The responsibility of the sheriff increases the amount of the gaoler's salary, as the gaoler is obliged to find security.—*See Return made to the House of Commons, in* 1833, *of Salaries of Gaolers, &c.*

8. The sheriff is at no expense for prisons or prisoners, and the only reason for allowing him to have authority over prisons and prisoners is his responsibility for their safe custody. Why not abolish his responsibility and authority, and make gaolers subject to punishment as for misdemeanors for a negligent escape of debtors, and make every prison in a county a prison for debtors and others, under the orders of justices in quarter session, (subject to rules and regulations from the Secretary of State,) as houses of correction are; whereby debtors and others would not necessarily be carried to gaol from one end of a long county to the other, as now, and whereby the inconvenience of a

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Communications respecting Gaols, Maintenance, Debtors, &c.

jurisdiction by one person and payment by others would be avoided, great expense would be saved, and improved discipline as to debtors would be established?

9. The county defrays the expense of gaols and houses of correction, and for the maintenance of poor debtors. Why should the county incur any expense for the confinement of debtors? Would it not be just that the county should be indemnified for all expenses as to debtors?

10. Moral contamination among prison debtors is as injurious as that with offenders. Why then should not the rules as to silence and separation be made applicable to them, as with prisoners for trial?—See the Report of Lords' Committee on Prisons, 1835.

ENCLOSURE, No. 2.

A SUMMARY OF PERSONS *imprisoned for Debt in* 1832. *(Printed by Order of the House of Commons.)*

——	—	Maintain themselves.	——	—	Maintain themselves.
Abingdon	1	0	Launceston	1	0
Anglesea	8	7	Leicester	67	0
Appleby	15	12	Lenton	45	33
Aylesbury	31	0	Lichfield	1	1
Barnstaple	1	1	Lincoln	73	38
Bath	162	55	Ditto	4	1
Bedford	9	0	Liverpool	1,034	212
Berwick	17	0	Louth	26	0
Beverley	38	30	Macclesfield	14	10
Bodmin	42	13	Maidstone	128	86
Boston	16	7	Palace Court	633	0
Bradford	329	0	Monmouth	82	27
Brecon	9	0	Montgomery	17	0
Ditto	10	0	Morpeth	36	0
Bury St. Edmund's	27	3	Newark	2	0
Bristol	305	0	Newcastle-under-Lyme	1	0
Cambridge	61	0	Newcastle-upon-Tyne	224	177
Canterbury	39	0	Newport, Hants	14	0
Cardiff	66	12	Northampton	30	2
Cardigan	10	3	Norwich	294	42
Carlisle	82	49	Nottingham	104	0
Carmarthen	21	17	Okeham	1	1
Carnarvon	29	21	Oxford	61	17
Chelmsford	110	21	Penzance	3	1
Chester	159	0	Peterborough	1	1
Chichester	5	0	Plymouth	14	0
Clerkenwell New Prison	217	0	Pontefract	8	8
Colchester	2	0	Portsmouth	33	17
Congleton	1	1	Presteign	8	1
Coventry	35	0	Preston	56	47
Derby	97	63	New Radnor	2	0
Dolgelly	5	2	Reading	55	27
Doncaster	54	0	Richmond	7	3
Dorset	30	11	Ripon	4	1
Dover	61	24	Rochester	51	0
Durham	125	0	Romford	1	0
Eccleshall	435	0	Rothwell	49	39
Ely	60	0	Ruthin	14	2
Exeter	139	77	Saffron Walden	2	0
Faversham	1	1	St. Alban's	20	0
Fisherton-Anger	109	39	Salop	123	83
Fleet Prison	796	463	Sandwich	22	6
Flint	21	0	Scarborough	6	4
Folkestone	1	0	Sheffield	429	0
Gloucester	32	12	Skirbeck	13	1
Grantham	2	2	Southampton	25	12
Gravesend	2	2	Southwark	319	0
Greenwich	129	129	Spalding	37	0
Great Grimsby	10	0	Springfield	27	0
Haverfordwest	23	11	Stafford	122	76
Hereford	75	42	Stamford	1	1
Hertford	36	17	Swansea	26	0
Henham	8	7	Tewkesbury	2	1
Horsemonger Lane	1,309	586	Tiverton	1	1
Horsham	101	22	Tothill Fields	533	0
Horsley	18	0	Warwick	124	82
Huntingdon	9	3	Weymouth	2	2
Ilchester	116	38	Whitecross Street	3,064	0
Ipswich	92	39	Winchester	73	20
Kendal	3	0	Wisbeach	35	0
King's Bench	947	729	Worcester	42	18
King's Lynn	26	0	Great Yarmouth	50	0
Kingston-upon-Hull	223	69	York Castle	512	92
Kirton	15	0	York Gaol	56	1
Knaresborough	19	12			
Lancaster	620	247	Total	16,470	4,093

Enclosure, No. 3.

HORSHAM GAOL, LEWES HOUSE OF CORRECTION, AND PETWORTH HOUSE OF CORRECTION.

A RETURN of the Number of Prisoners in the House during the Year; showing the Average Number in the House daily, distinguishing Males from Females, and the Offences for which they were charged, from Michaelmas, 1833, to Michaelmas, 1834.

	Males.	Females.	Children with their Mothers.	Total.	Description of Offences received under Commitments in the course of the Year.									
					Capital Felonies.	Other Felonies, not capital.	Stealing Fruit and Vegetables, or other Misdemeanors.	Under the Game Laws.	Under the Bastardy Laws.	Assaults and Breaches of the Peace.	Vagrants.	Under the Excise, Customs, or Revenue Laws.	Debtors.	Total.
Horsham Gaol.														
Number in custody at the commencement of the year	31	4	. .	35	32	98	7	8	6	21	3	10	78	263
Number received in the course of the year	252	11	1	264										
Average number in the prison daily	42	2	. .	44										
Lewes House of Correction.														
Number in custody at the commencement of the year	131	14	6	151	13	185	145	86	32	92	335	7	. .	895
Number received in the course of the year	768	127	41	936										
Average number in the prison daily	. .	. .	. .	128										
Petworth House of Correction.														
Number in custody at the commencement of the year	49	4	1	54	1	88	16	115	33	62	57	. .	. .	427
Number received in the course of the year	389	38	9	436			55							
Average number in the prison daily	. .	. .	. .	70			71							

ABSTRACT of the Account of the Expenses of the Prisons for the Year ending Michaelmas, 1834, and the Cost per Head per Day to the County, including Officers' Salaries, Food, Repairs, &c.

	Horsham Gaol.	Lewes House of Correction.	Petworth House of Correction.
	£. s. d.	£. s. d.	£. s. d.
To amount of salaries and wages	599 0 0	670 0 0	502 18 0
Victuals, bedding, clothing, washing, coals, candles, furniture, utensils, printing, stationery, &c.	491 1 7	1,221 1 5	624 18 0
Tradesmen's bills for repairs of the buildings, &c.	19 8 5	499 14 9½	100 4 0
Conveyance of prisoners to and from the assizes and sessions, &c.	179 0 6	. . .	30 14 7
Ditto ditto to the hulks for transportation, &c.	222 18 0	. . .	. . .
	1,511 8 6	2,390 16 2½	1,258 14 7
By amount of prisoners' earnings, profits of the manufactures, &c.	38 5 9	75 12 7½	141 17 8
Amount of ordinary expenses	1,473 3 6	2,315 3 7	1,116 16 11

Cost per head per day,—Horsham 1*s.* 10½*d.*—Lewes 12½*d.*—Petworth 10¼*d.*

N.B.—It is observable that the conveyance of prisoners swells the Horsham expenses considerably.

Enclosure, No. 4.

ABSTRACT of a Return to the House of Commons of the Number of Convicts conveyed from every House of Correction and Gaol Delivery to the County Gaol; the Number conveyed from every County Gaol to any Place for Transportation, and also to every House of Correction for Punishment; together with the Expense of so conveying them, for the Year ending Michaelmas 1832.

Prisons.	Convicts sent to the Hulks or Penitentiary.	Expense of Conveyance of No. 1.	Prisoners removed from one Prison to another.	Expense of Conveyance of No. 3.	Total Expense.	Prisons.	Convicts sent to the Hulks or Penitentiary.	Expense of Conveyance of No. 1.	Prisoners removed from one Prison to another.	Expense of Conveyance of No. 3.	Total Expense.
		£. s. d.		£. s. d.	£. s. d.			£. s. d.		£. s. d.	£. s. d.
Appleby	5	55 12 0	. .	. .	. .	Hertford	66	179 0 0	113	. .	. .
Aylesbury	38	101 17 1	. .	. .	. .	Horsemonger-lane	168	145 13 0	356	42 17 6	. .
Beaumaris	. .	. .	. .	. .	. .	Horsham	68	165 2 0	79	62 5 6	. .
Bedford	27	74 5 0	25	. .	. .	Huntingdon	7	56 0 0	. .	. .	. .
Bodmin	21	86 15 0	109	. .	. .	Ilchester	166	. .	120	. .	488 17 8
Brecon	5	43 16 0	. .	. .	. .	Ipswich	32	227 4 0	. .	. .	. .
Bury	36	128 17 0	. .	. .	. .	Lancaster (can this be right?)	63	. .	. .	. .	. .
Cambridge	26	155 7 0	. .	. .	. .	Leicester	38	141 8 4	. .	. .	. .
Canterbury	18	14 2 0	. .	. .	. .	Lincoln	64	318 6 10	43	18 16 1	. .
Cardiff	10	86 10 0	. .	. .	. .	Maidstone	129	49 1 2	. .	. .	. .
Cardigan	1	23 0 0	69	13 10 6	. .	Monmouth	24	140 10 0	. .	. .	. .
Carlisle	10	159 0 9	. .	. .	. .	Montgomery	6	56 10 0	. .	. .	. .
Carmarthen	3	45 0 0	. .	. .	. .	Morpeth	6	65 0 0	37	38 8 0	. .
Carnarvon	2	23 0 0	. .	. .	. .	Newgate	1,336	1,523 11 0	. .	. .	. .
Chelmsford (females)	8	11 7 0	15	2 6 0	. .	Northampton	39	. .	71	. .	252 19 6
Chester (unintelligible)	—	—	—	—	678 8 9	Norwich	98	401 13 6	16	6 9 10	. .
Denbigh	6	46 17 0	. .	. .	. .	Nottingham	51	274 18 6	20	5 0 0	. .
Derby	48	194 1 9	. .	. .	. .	Okeham	1	7 19 0	. .	. .	. .
Dolgelly	2	23 0 0	. .	. .	. .	Oxford	23	99 9 0	1	4 10 0	. .
Dorset	27	78 1 6	. .	. .	. .	Presteign	3	22 10 0	. .	. .	. .
Durham (can this be right?)	24	257 0 0	. .	. .	. .	Reading	32	88 0 6	. .	. .	. .
Exeter	75	134 4 3	. .	. .	. .	Shrewsbury	51	508 8 6	. .	. .	. .
Fisherton-Anger	113	. .	14	. .	201 10 8	Springfield	150	373 6 10	474	27 7 4	. .
Flint	4	24 0 0	. .	. .	. .	Stafford	133	773 17 8	22	7 1 6	. .
Gloucester	157	590 10 6	63	22 13 4	. .	Warwick	141	749 16 6	. .	. .	. .
Haverfordwest	2	32 10 0	. .	. .	. .	Winchester	66	66 0 0	. .	. .	. .
Hereford	27	174 6 0	. .	. .	. .	Worcester	66	574 0 3	. .	. .	. .
						York	259	991 0 6	. .	. .	. .

N.B. The Returns are so imperfect as to render it impracticable to fill up columns 3, 4, and 5; and indeed the Returns to the House of Commons, from Clerks of the Peace, Treasurers of Counties, Gaolers, &c., are usually so defective (especially in the form of answering the questions put to them) as to render a comparative statement impossible.]

Communications respecting Gaols, Maintenance, Debtors, &c.

Enclosure, No. 5.

Intermediate Sessions.

Intermediate sessions ought to take place four times in the year throughout England, in order to save expense to counties, great trouble and loss to prosecutors and witnesses, and intense unnecessary suffering, mental and corporeal, to prisoners for trial. I subjoin instances of several counties which most peculiarly include all these evils, under the hope that the expense to the pocket will rouse the magistracy into exertion.

The following is a list, extracted from Parliamentary Returns, of some prisons whence prisoners are obliged to be conveyed to a distant assize town for trial, the many evils attending which would be obviated (as to felonies not capital) if intermediate sessions were held in the towns where those prisons are situated.

Counties.	Prisons.	Assize Towns.
Berkshire	Gaol, Reading House of Correction, Abingdon.	Reading and Abingdon, alternately.
Buckinghamshire	Gaol and House of Correction, Aylesbury	Aylesbury and Buckingham, ditto.
Cheshire	House of Correction, Knutsford	Chester.
Cornwall	Gaol, Bodmin	Bodmin and Launceston, alternately.
Essex	House of Correction, Springfield Ditto, Halstead. Ditto, Newport. Ditto, Colchester. Ditto, Little Ilford.	Chelmsford.
Gloucestershire	House of Correction, Northleach Ditto, Little Dean. Ditto, Lawford's Gate. Ditto, Horsley.	Gloucester.
Hampshire	House of Correction, Gosport	Winchester.
Kent	St. Augustine's	Maidstone.
Lancashire	House of Correction, Kirkdale Ditto, Preston. Ditto, Salford.	Lancaster.
Lincolnshire	House of Correction, Louth Ditto, Kirton. Ditto, Spilsby. Ditto, Folkingham. Ditto, Spalding. Ditto, Boston.	Lincoln.
Norfolk	House of Correction, Swaffham Ditto, Walsingham. Ditto, Wymondham.	Norwich.
Northumberland	Gaol, Morpeth House of Correction, Tynemouth. Ditto, Hexham. Ditto, Alnwick.	Newcastle-upon-Tyne.
Nottinghamshire	House of Correction	Southwell.
Somersetshire	Gaol, Ilchester House of Correction, Wilton. House of Correction, Shepton Mallet.	Taunton, or Bridgewater, or Wells.
Suffolk	Gaol, Ipswich House of Correction, Beccles. Ditto, Woodbridge.	Bury St. Edmund's.
Sussex	Gaol, Horsham House of Correction, Petworth.	Lewes.
Wiltshire	House of Correction, Fisherton-Anger Ditto, Marlborough.	Devizes.
Yorkshire	House of Correction, Northallerton Ditto, Beverley. Ditto, Wakefield.	York.

A LIST OF DEBTORS CONFINED IN THE GAOL AT CARLISLE BY CITY COMMITMENTS DURING 1822-33.

Names.	Sums for which committed.	Date of Commitment.	When discharged.	How maintained.
William Johnson	Damages £1 2 4 Costs 0 0 2 Increased costs 1 3 10 £2 6 4	Feb. 27, 1832	June 9, 1832	By the county.
John Broadbent	33*l.* 8*s.*	March 10, 1832	May 12, 1832	By himself.
Henry Nutter	20*l.* and upwards.	March 10, 1832	April 6, 1832	By himself.
James Robinson	50*l.* and upwards.	March 12, 1832	April 6, 1832	By himself.
John Robinson	Damages £1 5 0 Costs 0 0 2 Increased costs 0 11 2 £1 16 4	March 13, 1832	March 24, 1832	By himself.
William Christie	Damages 3 5 8 Costs 0 0 4 Increased costs 7 17 4 £11 3 4	March 10, 1832	June 18, 1832	By the county.
John Forster	Damages 1 5 6 Costs 0 0 2 Increased costs 0 11 2 £1 16 10	April 27, 1832	August 6, 1832	By the county.
Elizabeth Graham	Damages 0 17 1 Costs 0 0 2 Increased costs 0 18 10 £1 16 1	June 29, 1832	Died of cholera, July 22, 1832	By the county.
John Grindley	Damages 14 0 0 Costs 0 0 4 Increased costs 6 18 5 £20 18 9	July 28, 1832	August 11, 1832	By the county.
George Irving	Damages 0 7 11 Costs 0 0 2 Increased costs 1 2 10 £1 10 11	Sept. 17, 1832	Dec. 15, 1832	By the county.
Peter Barrett	Damages 1 19 11 Costs 0 0 2 Increased costs 0 11 2 £2 11 3	October 3, 1832	October 4, 1832	By the county.
James Peck	100*l.* and upwards.	Nov. 10, 1832	Nov. 14, 1832	By himself.
Thomas Fawcett	25*l.* and upwards.	Dec. 16, 1832	March 21, 1833	By himself.
James Howgill	Damages £1 3 6 Costs 0 0 2 Increased costs 1 1 10 £2 5 6	January 5, 1833	July 6, 1833	By the county.
George Brown	20*l.*	January 5, 1833	March 21, 1833	By himself.
Anthony Skelton	Damages 1 7 8 Costs 0 0 2 Increased costs 1 1 2 £2 9 0	January 9, 1833	Feb. 9, 1833	By the county.
William Armstrong	33*l.*	Feb. 2, 1833	March 21, 1833	By himself.
Joseph Barton	20*l.* and upwards.	Feb. 4, 1833	March 21, 1833	By himself.
John Watman	15*l.* and upwards.	Feb. 4, 1833	March 21, 1833	By himself.
William Noble	26*l.* 5*s.*	Feb. 5, 1833	March 21, 1833	By himself.
Jane Caruthers	80*l.*	Feb. 10, 1833	March 4, 1833	By the county.
Benjamin Bell	21*l.*	Feb. 11, 1833	March 21, 1833	By himself.

Corby Castle, Carlisle, 13th Nov., 1833. HENRY HOWARD.

Extract from Minutes of Evidence taken before the Select Committee of the House of Lords, 1 Gaol Report, p. 69.

Earl of *Chichester* examined.

Q. Are you an advocate for more frequent gaol deliveries and intermediate sessions?—*A.* Certainly, for intermediate sessions. We find not only that we get rid of the evil and injustice of long confinement previous to trial, but also there is a considerable saving of expense, both as regards the maintenance of prisoners and the average cost of prosecutions; the expense of prosecutions at the sessions having been much less than at the assizes. A man was committed for stealing two pounds of meat. On the score of his having been three weeks in prison previous to trial, the judge only sentenced him to two days' imprisonment. He had, therefore, only two days of the really salutary discipline of the prison, though he cost the county as much as if he had been committed for three weeks to hard labour.

Communications respecting Gaols, Maintenance, Debtors, &c.

William Crawfurd, Esq., examined.

There is very great difficulty in finding employment for prisoners before trial, who cannot be put on a tread-mill. I was very much struck with this difficulty a short time since at York Castle. The governor is exceedingly anxious to effect improvements in his prison, and has tried all means of introducing employment, but he cannot find any means of introducing employment for them before trial. Whatever would tend to shorten the periods for which boys are now confined in prisons would be of essential advantage.

Q. What is your opinion as to the taking bail for many more offences than the law now authorizes?—*A.* I think many persons might be saved the pain and injury of being committed to prison if the magistrates were authorized to take bail for small amounts. A commitment to prison is a very serious affair to a poor man; it very often entails ruin not only upon himself, but his family. There are many instances in which a man's neighbours would be willing to present themselves as bail.

Q. Should you recommend a more frequent gaol delivery—an intermediate sessions?—*A.* I think that is very important, and I should also strongly recommend (though there are difficulties in the way) more frequent gaol delivery for capital offenders, by a more frequent assize.

Samuel Hoare, Esq., examined.

Q. Do you not think more frequent gaol deliveries and intermediate sessions very desirable?—*A.* Very desirable indeed. To keep a person in confinement many months before trial is so gross an act of injustice, that it is extraordinary that no remedy has been provided for it. The prisoner is often told by the judge that, in consideration of the long term of imprisonment he has already undergone, the sentence shall be lessened. I am quite convinced that bail might be taken to a much greater extent than it now is, without the ends of justice being at all impeded by it.

Rev. *Whitworth Russel* examined.

I asked a prisoner this morning what was the state of the prisoners before trial in Stafford Gaol? His answer was, that from thirty to fifty were associated together before trial, of all ages, all kinds and degrees of crimes; and that he had seen men, who had come into that prison perfectly unacquainted with all the art and science of crime, quit that gaol as well informed as the most experienced London thief.

Mr. *Charles Foss*, Agricultural Master of the Children's Friends' Society, examined.

"Those boys who have come from prison have been the worst to reform we have had."

The Rev. *J. Mayo* examined.

Q. Does not the present system of placing comparatively innocent persons with the more depraved prisoners have the effect of injuring the morals of the former?—*A.* Prisoners for trial are congregated together in dense masses for weeks, and even months; what wickedness one does not know, another teaches him, and all (the young especially) are exposed to examples more corrupt and demoralizing than ever fell to the lot of any individual, however untoward his circumstances in life may have been. Thus every man, if acquitted, becomes the nucleus of a gang in his neighbourhood, spreading the mischief far and wide.

I consider that a man's mind is injured by coming to prison. If he comes to prison for a small offence he will soon come there for a greater. The proportion of re-commitments is at least one-third. It would be a very beneficial thing, if it could be adopted, that a person convicted of an offence for which he is fined, instead of being imprisoned for non-payment of the fine, the damages, and the expenses, should remain out on bail, and work out the fine imposed. It would prevent many a man entering on a career of crime, and it would be a greater punishment to him to find the money to work it out than to go to prison.

Extract from a Report made by a Committee of Magistrates in the County of Devon upon the State of Prisons, &c.

(*W. Courtney*, Esq., examined.)

"While imprisonment is only a substitute for a fine which the offender cannot pay, or is adopted only because no other mode of punishment is lawful, it is the more peculiar duty of those who superintend a prison to take care that prisoners thus sentenced should not be made worse by a punishment which is in many cases reluctantly inflicted."

I have always felt that the improvements of prisons, and perhaps many other expenses which are practically thrown upon the county revenues, are of a nature that more properly belong to the general expenditure of the country; and that the country at large not only has an interest, but has a duty, in seeing that the prisons generally are well conducted.

Mr. *G. T. Bullar* delivered in a few selected instances, which show the very lengthened periods of confinement that have taken place.

Northampton County Gaol, from July 14 to March 1,—230 days.
Lincoln Castle, from July 26 to March 11,—228 days. Prisoner acquitted.
York City Gaol, 217 days; prisoner acquitted.
Herts County Gaol, 7 months or 214 days; the prisoner acquitted.
Lancaster Castle, 7 months, two prisoners; acquitted.
Marlborough House of Correction, a very bad prison, 106 days; prisoners acquitted. *With many others.*

Extract from a Communication by General BATHURST, *Sidney Park, Gloucester.*

The unequal division of the year in respect of assizes, besides the evil of keeping an innocent man perhaps eight months in prison, increases the expense of maintenance. Let 300 persons be committed in a year, &c.

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Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

MAGISTRATES—MAGISTRATES' CLERKS—FEES—SALARIES—FINES.

Communication from the Hon. T. Kenyon, *Salop.*

I am rather surprised, I confess, at one question contained in your letter, viz., what fees or emoluments are received by magistrates themselves; as I conceived it was perfectly well known that magistrates never received for their own use any fee or emolument whatever, unless such magistrates as may be paid as police magistrates by Government. Such at least, I am confident, is the case in this county.

As you ask me for any suggestion by which a saving may be made in the county rate, I beg to observe that the arrangement now made for the conveyance of transports will be a great relief to this county; and I will just mention that in the last year the expenses of making out different returns from the office of the clerk of the peace amounted to £80, all of which returns were required by Government. I need not add that if we could be relieved from this burden we should feel obliged.

Communication from J. Wright, *Esq., Kilverston, Norfolk.*

"But I have reason to believe that a few cases in the kingdom *do* exist in which magistrates apply fees to their own emolument, however disgraceful such proceedings may be.

Communication from the Rev. T. Shrapnel Biddulph, *Tenby, South Wales.*

"*Amroth Castle, Tenby, S. W.*

"I beg leave to call the particular attention of the Commissioners to a practice which has been too prevalent in this neighbourhood—I mean that of magistrates *themselves* taking fees, out of petty sessions, for their official acts. A practice more derogatory, or more likely to produce unfavourable impressions in their suitors as to the fair and impartial administration of justice, cannot be imagined; and the Commissioners would do well to stigmatize it as it deserves."

Extract of a Letter from J. S. Crompton, *Esq., with Particulars of Disbursements and Magistrates' Return of Thirsk, Yorkshire.*

I fear in the expenditure of the county rates we are not so economical as we might be, as lately (only two sessions ago) a small majority of the magistrates at sessions appointed a treasurer, with a salary of £150 a year, when an equally secure person, respectable in every way, with efficient bondsmen, was rejected, although he offered to do the business for nothing, merely making use of the money which must under all circumstances pass through his hands, and which privilege is also granted to his salaried competitor. I am sure much might be done in numerous instances towards reducing the county rates, but I regret to say politics are so much mixed up with duty, that it is very up-hill work to rectify any established abuse. Our county rates are very high, principally owing to a considerable enlargement having been made in the castle at York, which has lasted some years, and is particularly oppressive to a strictly agricultural district.

With respect to the magistrates' clerk, we have only one in our district at Thirsk. He has filled up the table of fees taken. I, when obliged to act at home, on emergency, never take any; and, I believe, that is the general practice of my colleagues. In the West Riding, at Bradford, where the business was enormous, we required five clerks, each acting magistrate appointing his own—some respectable attorney; and then they shared the profits according to their shares. I mean if one clerk was clerk to two magistrates, he had two shares; but I speak not being quite certain. Here, where the business is so slight, one clerk is ample for all.

No dinners or refreshments are given by the clerks out of their fees to the magistrates. The room is always open, and *now*, *lately*, no *accounts* are audited at the quarter sessions except in open court.

We have at Thirsk an association for the prosecution of felons, the subscription five shillings per annum, but it does little good, as we have no police, and the constables are extremely bad—so bad as to call forth many severe expressions on their inefficiency by Baron Alderson, a short time ago at York, in the case of two violent attempts at murder, committed near Thirsk.

Constables are allowed a shilling a mile for the conveyance of prisoners to the house of correction, and the committing magistrate allows the constable a fair, but not *extravagant*, remuneration for the time he has spent in the apprehension of felons, particularly if the magistrate considers he has exerted himself.

Memorandum, explaining the Particulars of the Disbursements. (See following Table, Column 8.)

	1830.			1831.			1832.			1833.			1834.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
To a man for keeping the door of the magistrates' room when in petty session	3	10	0	3	10	0	3	10	0	3	10	0	3	10	0
Printing and Stationery	13	8	3	7	2	4	9	16	8	4	17	1	5	11	3
To dinners for the magistrates at three annual meetings; viz., appointing overseers of the poor, general annual licensing meeting, and appointing surveyors of the highways	9	9	3	11	4	4	11	2	2	10	19	0	7	18	6
	26	7	6	21	16	8	24	2	10	19	6	1	16	19	9

Magistrates' Return for Thirsk.

1 Name of Magistrate, and his Address.	2 Place, and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
Rev. T. Newton, Coxwold . . Rev. Wm. Dent, Crosby . . .	Liberty of Ripon, and wapentake of Birdforth.	Angram Grange Arden Bagby with Fawdington Balk Birdforth Bilsdale, West side Boltby Byland Membris Carlton Islebeck Catton Cold Kirby Cowsby Coxwold Dale Town Dalton Elmire with Crakehall Gueldable Hawnby Hutton Sessay Kepwick Kirby Knowle Kirby Wiske Maunby Nether Silton Newburgh with Morton Newsham North Kilvington Old Byland Over Silton Oulston Sandhutton Skipton South Kilvington South Otterington Sowerby Thirkleby Thirlby Thirsk Thornton-le-Street Topcliffe Thorbrough Thornton Baxby Thornton-le-Moor Upsall Wildon Grange Yearsley	Thirsk	Edward Kenion Ripley, Thirsk	Attorney's clerk. £20.	1830 . £98 2 6 1831 . £98 19 6 1832 . £99 13 6 1833 . £111 7 6 1834 . £90 4 0 *1830 . £10 3 0 1831 . £13 16 0 1832 . £15 1 0 1833 . £12 8 0 1834 . £ 9 16 0 * *Be pleased to subjoin a memorandum, stating what proportion of these (if any) were received out of Petty Session.*	1830 . £26 7 6 1831 . £21 16 8 1832 . £24 2 10 1833 . £19 6 1 1834 . £16 19 9 * *Be pleased to subjoin a memorandum, explaining the particulars of the disbursements.* * *See last page.*	1830 . £71 15 0 1831 . £77 2 10 1832 . £75 10 8 1833 . £92 1 5 1834 . £73 4 3	To the clerk, for his trouble.
Cornelius Cayley, Esq., Sowerby S. Crompton, Esq., Wood End . George Lloyd, Esq., Cowsby Hall	Birdforth Birdforth Birdforth								
Joshua Samuel Crompton, Esq., Sion Hill	Birdforth; also for the West Riding, and the Archbishop's Liberty of Cawood, Wistow, and Olley								
John Bell, Esq., Thirsk . . .	Birdforth								

Communication from the Rev. W. Blow, *enclosing Magistrate's Return for Market Weighton.*

Rectory, Goodmanham, December 26th, 1835.

I wish to observe that I do not think the constables are overpaid; for when it is considered the loss of time they must frequently experience in searching for and pursuing after thieves, &c., and the personal risks they run, and that, when they are not successful in their attempts to secure them, they seldom, if ever, receive any remuneration, I am quite of opinion the above allowance for their mileage should not be diminished. I am aware that, in this Riding, there is a prevailing wish, on the part of the magistrates, to cut down the charges on the county rate to the *minimum* point, and I admit that it is proper to do so, consistent with the ends of justice; but I am afraid that if, in the prosecution of this desire, the charges allowed to constables should be reduced, (and which has already been proposed,) many thieves and vagabonds will carry on their depredations with impunity, arising from the officers not having a suitable stimulation of reward granted them for their apprehension. Besides, when we consider the class of persons whence the constables are (at the court leet) chosen, viz., almost invariably from small tradesmen or small farmers, and that they are compelled to serve, we surely must admit that they ought to be amply paid for their onerous and disagreeable duties.

W. Blow.

Magistrate's Return for Market Weighton.

1 Name of Magistrate, and his Address.	2 Place and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years, by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
William Blow, Clerk, Goodmanham, near Market Weighton	Holme Beacon division most usually, in which division I reside; but my commissions extend over the East Riding of Yorkshire, and also over the Liberty of St. Peter, of which Liberty I am also a magistrate.	Aughton Bubwith, Breighton, and Gunby Beilby East Cottingwith Ellerton Everingham Eastthorpe Foggathorpe Goodmanham Gribthorpe and Willetoft Holme Harlethorpe Hayton Harsewell Londesbro' Latham Melbourne Newsham and Brind Spaldington Seaton Ross Storwood Shipton Wressle and Loftsome Weighton and Arras.	Market Weighton every fortnight; also at Melbourne occasionally, and always for holding The Poor Sessions Brewster ditto Jury ditto Highway ditto	John Wake, of Market Weighton, farmer, and steward to the Hon. C. Langdale, one of the magistrates attending the Petty Sessions at Market Weighton	No other official employment held by the aforesaid clerk The above sums have reference only to the amount of fees received by John Wake at Petty Sessions at Market Weighton. I have generally of late attended the Petty Sessions held at Melbourne for the Poor, Brewster Jury, and Highway Sessions; the magistrates attending divide the fees, and I think the average amount of the whole is about 21*l.* * The average amount of fees received for summonses, &c., issued at my dwelling-house, may possibly be about 3*l.* per annum. I have never kept any correct account of fees received.	1830 (no account kept) 1831 . £23 6 0 1832 . £23 11 0 1833 (no account kept) 1834 . Ditto * *Be pleased to subjoin a memorandum, stating what proportion of these (if any) were received out of Petty Session.*	1830 . —— 1831 . about £5. 1832 . ditto 1833 . ditto 1834 . ditto * The disbursements at home are for forms, Acts of Parliament, and law books, kept at home. * *Be pleased to subjoin a memorandum, explaining the particulars of the disbursements.*	1830 . —— 1831 . £18 6 0 1832 . £18 11 0 1833 . about do. 1834 . about do.	The fees are appropriated to the purchase of forms, pens, ink, and paper, and law books for the use and guidance of magistrates; also the expenses of the room where the Petty Sessions are held. After the above payments, the remainder is appropriated to private uses.

Communication from the Hon. C. LANGDALE, *enclosing Magistrate's Return for Market Weighton.*

I am not aware of any regulations which regard felonies and the expenses of apprehending prisoners which operate against the provisions of the 7 Geo. IV. c. 64, s. 22, 28; but I have known cases of great hardship arise from no allowance being legal, in cases of great expense incurred in the apprehension of prisoners charged with felonies, other than those excepted by the 28th section. I also conceive that in many cases it may act as a hindrance to bringing parties to justice, from apprehension of the expense. With regard to conveyance of prisoners by constables, regulations were agreed to at the quarter sessions at Beverley, in July, 1821, by which one shilling per mile was allowed for the conveyance of a vagrant. Felons are not mentioned in the regulations alluded to, but I believe the same scale of allowance has generally been adhered to.

John Wake, Market Weighton, is treasurer to two associations for the prosecution of felons—one called the Market Weighton Association, and the other the *United Holme, Cliffe, and Market Weighton* Association. I believe John Robinson, solicitor, South Cave, is also treasurer to a *second association* at Market Weighton.

CHARLES LANGDALE.

MAGISTRATE'S RETURN FOR MARKET WEIGHTON.

1 Name of Magistrate, and his Address.	2 Place and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
Charles Langdale, Houghton, near Market Weighton	Holme Beacon, but resides in Hemsley Beacon; does not attend any sessions in the latter division. Petty Sessions first held at Market Weighton in 1829 by W. C. Maxwell, Esq. and Honorable C. Langdale. William Blow, Clerk, qualified in 1831, and has since attended these Petty Sessions.	Aughton Bubwith, Breighton, and Gunby Beilby East Cottingwith Ellerton Everingham Eastthorpe Foggathorpe Goodmanham Gribthorpe and Willetoft Holme Harlethorpe Hayton Harsewell Londesbro' Latham Melbourne Newsham and Brind Spaldington Seaton Ross Storwood Shipton Wressle and Loftsome Weighton and Arras to attend *both places*, the fees received might be an inducement to a *respectable solicitor* to accept the appointment, which would, in many respects, be desirable. N.B.—I am told by Rev. W. Blow that I am mistaken in the amount of the fees at Melbourne sessions.	Market Weighton once a fortnight At Melbourne are held— The Poor Sessions Brewster ditto Jury ditto Highway ditto I have not attended these latter sessions for the last three or four years; when I did so, perhaps three or four times in as many years, the justices attending divided the fees, which, at the four sessions above alluded to, would exceed considerably in amount the whole of the Petty Sessions held at Market Weighton through the year. Should a clerk be appointed	John Wake, of Market Weighton, was appointed clerk to Petty Sessions at Market Weighton in 1831, before which time the justices divided the fees; but John Wake assisted *gratis*. The magistrates of the East Riding generally receive the fees, not employing clerks.	John Wake, farmer, and steward to Honorable Charles Langdale.	1830 . no clerk; magistrates divided fees 1831 . £23 6 0 1832 . £23 11 0 1833 (no account kept) 1834 . ditto From operation of New Poor Law Act, especially regarding bastardy cases, fees are reduced more than one-half, amounting at present to about £10. * Besides the above, John Wake receives fees out of Petty Session from Honorable Charles Langdale, varying from £1 to £2 per annum. * *Be pleased to subjoin a memorandum stating what proportion of these (if any) were received out of Petty Session.*	1830 . —— 1831 . £5 0 0 1832 . ditto 1833 . ditto 1834 . ditto * Disbursements are for use of rooms each day 2*s.*6*d.*, forms, papers, pens, &c. * *Be pleased to subjoin a memorandum explaining the particulars of the disbursements.*	1830 . —— 1831 . £18 6 0 1832 . £18 11 0 1833 . ditto 1834 . ditto	After expenses of room, &c., papers and forms; Private uses. Ditto. Ditto. Ditto.

Communication from T. CLARK, *Esq., enclosing Magistrate's Return for Howden.*

The tables of fees for this Riding have been assimilated to those of the West Riding, and they only wait the approval of the Judges to be acted upon. The mode of paying the chief constable presses very heavily on the smaller townships of the division. The highest assessment is £6,390 per annum; the lowest, £779. The highest population is 2,130; the lowest, 29. Thus the chief constable being principally paid by precepts, orders, notices, &c. &c., receives the same from every township, making the smallest township, calculating by the head, pay nearly one thousand times as much as the largest; and, calculating by the rate, about nine times more is paid in the pound by the smallest than the largest. This is not the only hardship; for in some places there is no public house, no juryman, no lunatic, I believe no assessed tax paid, yet the constable issues to all the like number of precepts, &c. &c.

Since writing the above the accompanying table of fees has been received; but I send the papers Nos. 1 and 2 filled up as the fees have been heretofore taken. We shall for the future act upon this table. —28*th July*, 1835.

Acting as a justice for the West Riding, this return includes the fees received for both Ridings.

THOMAS CLARK.

MAGISTRATE'S RETURN FOR HOWDEN.

1 Name of Magistrate, and his Address.	2 Place and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
Thomas Clark, Knedlington	Knedlington for Howdenshire, especially the East Riding	Howden Eastrington Welton Blacktoft and part of Walkington	Howden	We have none The chief constable attends on certain days when he has business of his situation to transact, as highway, poor, and other sessions, for which he is allowed 10*s.* 6*d.* each time out of the county rate.	—	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ * In Petty Session £13 Out of session £17, or nearly so * *Be pleased to subjoin a memorandum, stating what proportion of these (if any) were received out of Petty Sessions.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ About £5 or £6 annually * Justice room Books Paper Precepts, blank, &c., &c. And for Justice room at Howden * *Be pleased to subjoin a memorandum, explaining the particulars of the disbursements.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ About £24	Remains at my own disposal

U 2

Communication from PHILIP SALTMARSHE, *Esq., enclosing Magistrate's Return for Howden.*

The returns made in this table and table No. 2 are in accordance with the old table of fees, on which the fees have hitherto been received by me. The accompanying new table of fees, allowed by Sir N. C. Tindal and Lord Abinger, (28th July, 1835,) has only just now been received by me, and will hereafter be the rule by which the fees will be taken.

MAGISTRATE'S RETURN FOR HOWDEN.

1 Name of Magistrate, and his Address.	2 Place and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
Philip Saltmarshe, Saltmarshe, near Howden	Acts for the East Riding of Yorkshire generally, and for the division of Howden especially.	Howden Eastrington Blacktoft Welton is in the division, but so distant that magistrates resident nearer do the general business, indeed all but that done at special sessions. Part of Walkington is also in this division, but similarly circumstanced with respect to distance as Welton.	Howden	No clerk. The chief constable attends on certain days when he has the business of his situation to transact, as highway, poor, and other sessions, for which he is allowed 10*s.* 6*d.* each time out of the county rate.	—	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ * About £13 in Petty Sessions, and about £8 or £9 out of sessions; in all say about £22 * *Be pleased to subjoin a memorandum stating what proportion of these (if any) were received out of Petty Session.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ About £5 or £6 * Justice room at Howden Precepts, books, and stationery for the said room * *Be pleased to subjoin a memorandum explaining the particulars of the disbursements.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ About £17 . .	which sum remains at my disposal. It has been put into a purse without particular account kept of the amount of receipts, and given out for charitable purposes. No money received for fees on this account has ever been applied to my private use since I have acted as a magistrate.

Magistrates' Return for Dickering.

1 Names of Magistrates, and their Addresses.	2 Place and Division for which they act.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
The names of the magistrates at present acting in this division of the East Riding of Yorkshire, viz., the division of Dickering, are as follow, with reference to their seniority as to the dates of their respective commissions:— Yarburgh Greame, Esq., Sewerby, near Bridlington Harrington Hudson, Esq., Bessingby, near Bridlington Rev. J. W. Bower, Barmston, near Bridlington Alexander W. Bosville, Esq., Thorpe, near Bridlington	The magistrates enumerated act for the East Riding of Yorkshire, but more particularly for the division of Dickering, in the said Riding, in which they all reside. Their attention is, therefore, chiefly directed to that division and their attendance at the quarter sessions, held at Beverley, in the said Riding.	The division of Dickering contains the following townships:— Argam Bridlington Boynton Binnington Buckton Burton Agnes Bessingby Bempton Brighham Butterwick Carnaby Cottam Easton Flixton Foxholes Flambrough Folkton Fraisthorpe Filey Foston Gembling Grindall Ganton Garton Gransmoor Hilderthorpe Hunmanby Haisthorpe Harpham Kelk Kelk Parva Kilham Lowthorpe Langtoft Muston North Burton Nafferton Rudston Rudston Parva Reighton Specton Staxton Sewerby Thwing Thornholme Wansford Willerby Wold Newton Total, 48 townships	In the town of Bridlington, in the said Riding; and unless the magistrates happen to be absent, or are otherwise prevented, they are held weekly, on a Saturday	Mr. Edward Ashley, of Molescroft, near Beverley, acts as clerk to the magistrates at their several special sessions, in matters relating to those respective sessions, but at their petty sessions they have no clerk; consequently they make out themselves their warrants, convictions, commitments, &c., in fact such documents as are necessary in the discharge of their various duties	Mr. Edward Ashley also acts as high constable for the division of Dickering. The annual amount of income arising to him in that capacity cannot be precisely stated. It must, in some degree, vary. It proceeds from fees which he is empowered to receive, agreeable to a regulated table, sanctioned and approved by court of quarter session, held 10th July, 1821, which, together with various other rules, orders, and regulations, were ordered to be printed, and copies sent to the acting magistrates for their guidance. A list of the fees paid to the high constable accompanies this paper, and it will be seen he is not paid exorbitantly, or higher than desirable for his trouble. Some trifling variations under different Acts of Parliament have occurred since the rules alluded to have been published	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ * The amount of fees in this division, being not a very populous part of the country comparatively with the manufacturing districts, is *very inconsiderable*, but, as the magistrates do not keep an account of the sums thus received, no accurate statement as to the amount can be given as to any one year; in general terms, however, they may be said to be trifling * *Be pleased to subjoin a memorandum stating what proportion of these (if any) were received out of Petty Session.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ * Without having a reference to any one particular year, much of the amount of the fees received by magistrates necessarily is disbursed in providing themselves with the new Acts of Parliament, the various printed papers, &c., which are absolutely necessary in the discharge of their duty * *Be pleased to subjoin a memorandum explaining the particulars of the disbursements.*	1830 . £ 1831 . £ 1832 . £ 1833 . £ 1834 . £ Nos. 7 and 8 will render any remark here unnecessary	No. 8 will also render much remark here unnecessary, as the actual amount arising from the sources alluded to is so small as to leave but a trifling surplus. As to the appropriation of that surplus, it is not possible to answer that question as to individual magistrates, but it may in general terms be stated that it is applied to different charitable purposes; but this remark must be considered as dependent upon the inclination and practice of magistrates individually, being a matter solely at the option of each

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

Communication from the Rev. D. R. Currer, *Clifton House, York.*

In compliance with the instructions contained in your letter of the 21st instant, addressed to myself, I have enclosed you all the particulars which I can collect from our Clerk for the Quarter and Petty Sessions of the Peace for the Liberty of St. Peter's, York, of which I am Chairman. Since I purchased my present residence in the vicinity of York, upwards of ten years ago, where I have since constantly lived, I have attended no Petty Sessions, but merely the Quarter Sessions occasionally, although I act for all the three Ridings of the county of York, and the fees which I have received have been taken at my own house: consequently I am unable to make any return of the fees received at a Petty Session for the Ridings. My fees have varied according to circumstances, especially long-continued absence from home, which has materially reduced them at times.

	£.	s.	d.
In 1830 they amounted to . . .	11	17	6
1831 „ . . .	15	0	6
1832 „ . . .	19	6	0
1833 „ . . .	18	5	6
1834 „ . . .	25	18	0

I have acted now for nearly twenty years, during the whole of which time I have given all my fees to the poor in the shape of food, raiment, coals, and money, and never put a farthing into my own pocket.

Danson Richardson Currer.

P.S.—I am also Chairman of the Visiting Justices at York Castle.

Extract from Municipal Report, vol. iv. p. 2,192. *Borough of Cambridge.*

"A borough magistrate stated that when his father, an alderman and magistrate, who transacted business at his own house, wanted a second magistrate, he sent for him, and upon those occasions they divided the clerk's fees. The amount he had received in this way he was unable to state, but he had often been sent for. Sometimes he had given them away as gratuities, and sometimes had kept them for himself. From poor people he had frequently taken nothing. On being asked if he considered that a magistrate was entitled to make a profit of his office, he said that he had never viewed these fees in the light of a profit, and that, if he had not considered he had a legal right to them, nothing on earth should have induced him to take them. They had been taken by other magistrates; and in former times he understood that was always the case. Whilst the same magistrate (the father) had a clerk, it is doubtful whether the clerk was allowed to retain the fees which he received."

Communication from J. M. Wingfield, *Esq., enclosing Magistrates' Return for Rutland.*

I enclose a copy of the table of fees (not settled by Acts of Parliament) taken by the Magistrates' Clerk in the county of Rutland. It was settled four or five years ago, not much varying from a former one of long standing. The justices do not any of them receive fees at their own houses, or acting elsewhere than in Petty or Special Sessions, where they are attended by their clerk; therefore all returns of fees here sent refer only to those meetings. As all employ the same clerk, I have inserted all their names, and communicated these papers and answers to those I could meet with, not thinking it necessary to wait till our next sessions. I have filled up the two tables according to our present practice as clearly as I can make them apply. The fees taken at Petty Sessions are not received immediately by the clerk on his own account (nor any part of them, except those which by any Act of Parliament are expressly directed to be paid to the magistrates' clerk, as in the Ale-house Licensing Act), but he has a fixed salary of *£25 a-year. The fees are deposited, and at the end of each year applied in defraying the expenses of the Petty Sessions, that is, for the clerk's salary, hire of the room at which they are held, fire, &c., stable expenses, and any books, &c., which become necessary. Surplus, if any, is applied as each justice thinks fit. At present they have sufficed for these purposes.

I send a copy of fees taken by the high constables. These fees are paid by the respective parishes specifically through their petty constables, along with the county rates, and not through the treasurer, from the county fund reserved in his hands. Except charges for attendance, &c., at assize and sessions, *in effect they are so much in addition to the county rates.* Whether this may be a regular mode of taking them or not, it had always been so practised here, and the magistrates in their order did not interfere with it, but only re-settled the fees in amount, which had some of them become rather irregular and uncertain.

* It was £20; increased this year to £25.

1 Names of Magistrates, and their Addresses.	2 Place and Division for which they act.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk, or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
Marquis of Exeter Hon. Henry Cecil Lowther, Cottesmore Gilbert John Heathcote, Esq., Stocken Hall Archdeacon T. K. Bonney, Normanton Heneage Finch, clerk, Oakham Henry Athay, clerk, Casterton John Eagleton, Esq., Ketton William Belgrave, clerk, Preston	County of Rutland	Col. 2	The White Horse, Empingham	William Ades, attorney-at-law, Oakham In fact, Mr. Ades does not execute the duties of clerk in person, but through his head clerk at the time, who has the salary, &c., himself guaranteeing an efficient person to the magistrates. The salary was £20, and fees of 1*s.* 6*d.* each on the alehouse precepts, which amount to about £6. 6*s.* This year the magistrates have increased the salary to £25.	The office of clerk of the peace, the emoluments of which I cannot state, but believe them to be some little more than £100 a-year. Also treasurer of the county, at a salary of £20 a-year.	1830 . £66 15 2 1831 . £58 15 0 1832 . £57 17 0 1833 . £57 1 0 1834 . £59 4 6 No part out of petty sessions	1830 . £39 6 3 1831 . £40 19 9 1832 . £60 12 3 1833 . £37 6 1 1834 . £42 4 1	1830 . £27 8 11 1831 . £19 15 3 1832 . £ 1833 . £19 4 11 1834 . £17 0 5	This surplus is applied as each of the five regularly acting magistrates thinks proper at the time.

* *Items of disbursements in year* 1834.

	£.	*s.*	*d.*
Empingham, horse, stable, ostler, &c.	10	12	2
Printed forms, &c.	10	3	1
Messengers	0	15	0
Pleader's opinion, &c.	0	13	10
Clerk's salary	20	0	0
	£42	4	1

In 1833.

Empingham, &c.	10	4	10
Printer	5	19	9
Messengers	1	1	6
Clerk's salary	20	0	0

In 1832.

Empingham, &c.	9	19	3
Printer	3	17	8
Messenger	1	1	6
Clerk's salary	20	0	0
Purchased a bureau bookcase	24	13	10

In 1831.

Empingham, &c.	10	0	0
Printer	10	1	3
Messengers	0	18	6
Clerk	20	0	0
&c.			

* *Be pleased to subjoin a memorandum explaining the particulars of the disbursements.*

* None of the magistrates for this county take any fees for themselves or a clerk at their own residences, but only in Petty Sessions, or when any two or more hold a meeting at the county town on any special occasion, and are attended by their clerk; therefore all the answers in these two tables apply only to them. The fees are not received by the clerk on his own account, except certain fees directed by statutes to be paid to him, as in licensing alehouses, &c. He receives a fixed salary, (as stated Col. 8,) and the fees are deposited and applied at the end of the year (as shown Cols. 8 and 10) in defraying the expenses of Petty Sessions. At present they have sufficed for this; but Acts of Parliament creating increased trouble to the clerk, it will be necessary to increase his salary, more probably than the number of fees increase.

* *Be pleased to subjoin a memorandum stating what proportion of these (if any) were received out of Petty Session.*

Communication from the Rev. JAMES HOGG, *enclosing Magistrate's Return for Kettering.*

Many offenders escape, because of the trouble and loss of time in prosecuting; and many complainants, in cases of felony, state from the first, that they cannot afford to prosecute, but will drop the prosecution if it is to be an expense to them.

In cases of misdemeanors, game, malicious injuries, and stealing, &c., of wood, all the expenses are paid by the complainants or by the offenders.

P.S.—I request you, Sir, to refer to C. Markham, Esq., clerk of the peace, as to the recording of convictions and recognizances, &c., by me; and to John Mercer, Esq., county treasurer, respecting the fines, &c., transmitted by me in aid of the county rate. Mr. Mercer receives from me, on an average, about £36, or more, annually; some years £50.

MAGISTRATE'S RETURN FOR KETTERING:

1 Name of Magistrate, and his Address.	2 Place and Division for which he acts.	3 Names of Parishes and Townships contained within such Division, if more than One.	4 Place at which the Petty Sessions are held.	5 Name of the Clerk or Clerks, if more than One, and his or their Address.	6 Other Employment held by Clerk (if any), and its Annual Value.	7 Total Amount of Fees and Emoluments received by Magistrate or his Clerk in the Years subjoined.	8 Amount of Disbursements in each of the Years by Magistrate or his Clerk, out of such Fees.	9 Net Produce of Fees per Year.	10 Appropriation of such Fees or Emoluments.
The Rev. James Hogg, Kettering	Kettering and the division.	. . .	. . .	Samuel Turner, Kettering.	Assistant in my school to teach writing, at a salary of £20, to which I have been glad to add for extra labour as stated. S. Turner is also a bookbinder.	1830 . £41 0 0 1831 . £40 0 0 1832 . £38 0 0 1833 . £39 0 0 1834 . £40 0 0 * All the above fees were received out of Petty Session. * *Be pleased to subjoin a memorandum, stating what proportion of these (if any) were received out of Petty Session.*	1830 . £20 0 0 1831 . £20 0 0 1832 . £19 0 0 1833 . £20 0 0 1834 . £19 0 0 * Disbursements are for printed forms, &c. about £6, stationery £2 10*s.* Fees to clerk of the peace for recording convictions and recognizances, about £12 or £13 annually. In *printed* I include books. * *Be pleased to subjoin a memorandum explaining the particulars of the disbursements.*	1830 . £21 0 0 1831 . £20 0 0 1832 . £19 0 0 1833 . £19 0 0 1834 . £21 0 0	To Samuel Turner, for his extra trouble as clerk in writing and copying for me.

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

Communication from the Rev. T. NEWCOME, *Shenley, Herts.*

I would with pleasure fill up the two several tables sent to me by the Commissioners appointed to inquire into the County Rates, and give such information as I still may retain in memory, with suggestions for reduction of county rates, of the justices' expenses at the public, and still more at their personal, expense, &c., but I have ceased to be an acting justice of peace, and when I acted I seldom took any fees (being usually my own clerk), but when I did so I gave them to my vestry clerk for the trouble of attending, and for his better writing than mine.

My family has been connected with this parish 120 years; and from the year 1714 to 1814 the county rate had risen from £14 to the present levy, annually, of not less than £120, a sum equal to the poor's rate at the former period; the poor's rate, with this charge inclusive, having increased eight-fold or more. For this charge we have neither bridge to our sometimes dangerous river at the county expense, nor but seldom a prisoner in the county gaol, and have to take all our constable's, overseer's, churchwarden's, and publicans' business to Great Berkhamsted, 17 miles off, when Barnet and St. Alban's are only five miles distant; but Shenley is in the county, not in the liberty of St. Alban's. This adds to trouble and expense for trifling business that was just as well done in my parlour, or my neighbour justice's in this or next parish.

Communication from the Rev. W. A. ARMSTRONG, *Ramsgate.*

During the whole of this period I never directly nor indirectly received a fee at any time for any duty I performed.

Of my own knowledge, therefore, I can say nothing respecting fees taken, or of their application; but I do know that my personal expenses in so many years in attending to my magisterial duties were pretty considerable, though always borne with pleasure for the public good.

Thus you perceive I can give you no useful information or assistance, and I really apprehend that, except by a reference to his clerk, no liberal independent magistrate can give you better.

Communication from the Rev. A. GAUSSEN.

It always struck me that there was but little control over the clerk's charges.

Communication from E. SIMEON, *Esq., Whitchurch, Oxon.*

I have occasionally attended the petty sessions at Henley, Oxon, and at Reading, for Berkshire, but confine myself principally to transacting business in my own parish, not in my own house, as I prefer doing every thing in public, but in a neighbouring public house: for many years I paid the publican 1*s.* 6*d.* on each case, out of my own pocket, for the use of the room; latterly I have been in the habit of paying it out of any penalty levied, or (where the parties could well afford it) by the litigants, who are generally very happy to do so, as they save the trouble and expense of going fourteen miles to the petty sessions, as well as avoid payment of fees.

Communication from "a Magistrate in different Counties for Twenty Years."

Believing that any information tending to throw light upon this important subject will be acceptable, and may be beneficial to the country, I venture to suggest that, in any legislative measure for the regulation of petty sessions, it may not be useless or improper to prohibit, under a severe penalty, any magistrate's Clerk from acting *as advocate or attorney for either party* in any cause or matter brought for the decision of magistrates, either in or out of petty sessions. It may seem strange that such a practice should ever be allowed, especially by magistrates whose integrity is above all suspicion; but that it does exist I know full well, and that it may not be very uncommon is possible. I need not dwell upon the absurdity of throwing such a temptation in the way of a man often possessing very great influence with the magistrate, and sometimes virtually exercising his powers, when the infirmities of age, the diffidence and inexperience of youth, or indolence, at any time induce him to rely on the opinion of his clerk, who thus becomes at once both the advocate and judge, having perhaps a direct interest in obstructing the course of justice. So strong is the force of habit, that I have heard this practice defended by honourable men, on the plea (where there are more than one clerk attending) that each party may employ one, and that thus the merits of the case will be more clearly brought to light. You will, I think, at once see the fallacy of such reasoning, and the necessity of putting a stop to such a practice. I have been an acting magistrate in different counties for more than twenty years, and speak advisedly on this subject.

Communication from G. H. CAREW, *Esq., Somerset.*

Permit me respectfully to observe that in my humble opinion, were the magistrates' clerks *paid by a fixed salary instead of fees*, the diminution in the county rates would be astonishing. Having acted as a justice of the peace for nearly forty years, such has constantly been my observation and opinion.

Communication from Sir H. AUSTEN, *Guildford.*

Sir Henry Austen has the honour to inform His Majesty's Commissioners that, as the magistrates hold a bench at Guildford every alternate Saturday, little or no private business is conducted by them. Their clerk, Mr. Smallpiece, can alone answer the several queries noticed in the annexed schedule. Mr. J. Smallpiece has been the clerk for nearly thirty years, and holds likewise the office of county treasurer, at a salary of £400 a year, with the interest of the balance in his hand, which, in October last, exceeded £7,000.

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

Communication from J. TRECOTHICK, *Esq., Broadstairs.*

I only wish to suggest for consideration, if some better mode than the present could not be arranged for the payment of the fees to the clerks of the magistrates? Could this be done, it would be a great benefit to the poor, who are often distressed to pay the fees, and it would also be a relief to magistrates.

Communication from G. T. GOODENOUGH, *Esq., Hertford Street, Mayfair.*

When I first undertook the office of justice of peace I was probably as unfit as most of my brethren, but my station in life brought me to think it a duty I owed to my fellow-subjects, and I have uniformly acted upon that principle.

From the first I soon discovered that the whole system was defective, and wherever abuses existed, or whenever a few conscientious individuals tried to amend it, they were sure to meet with obstacles insurmountable.

The principal scene of my experience arose from my acting for the Greenwich division in Kent. Upon a thorough conviction that much suffering arose from the large extent of the division, and its extensive population, my first object was to divide it, whereby the suitors would have seven or eight miles to come instead of 14; but, although a bench had previously been established at Woolwich, I found the clerk too strong for me, his power and influence being much greater than that of any of the magistrates. As to the fees he received, and the expenses he put the county to, the only answer I received to my inquiries upon the subject was, "We have nothing to do with those matters; our clerk acts at his own peril and responsibility." The result of all this was that they brought me before the King's Bench, and, although my exculpation was as complete as the Court could decree, Mr. Justice Bailey saying "that the more divisions the better," and the Woolwich bench completely established, my pocket suffered to the amount of £200.

Communication from H. ROSE, *Esq., Fareham, Hants.*

Since the receipt of your letter it has fallen to me to order the payment, by the county treasurer, of two bills (copies of which I send you) of expenses of a prosecutor and his witnesses, in a prosecution for stealing some hay, the value of the property recovered being under 20*s.* It is made out by the clerk to the magistrates at Fareham, and you will observe it is only for expenses incurred before the case is sent for trial, and you will notice that the sums which will be paid to the prosecutor and his witnesses are the smallest parts of the bills.

I trust I shall not be considered impertinent if I suggest for the Commissioners' consideration that I think it would be a great saving, and a much more satisfactory mode of payment to the clerks and other officers attending upon magistrates in their petty sessions and at other times, *to fix an annual salary for the holder of such office*, with a certain sum for stationery and other office expenses. We should want fewer constables, be enabled to have more efficient men, and the magistrates would have more power over them. I would, at the same time, suggest that the magistrates should have the power to affix, at the decision of such case, what sum should be paid for the expenses, &c., which might go to the county rate, from which, I presume, the above payments might be made. I would likewise suggest that it would be much saving of money, time, and trouble, and the ends of justice more effectually answered, by empowering magistrates in petty sessions to punish summarily all offenders for minor felonies, misdemeanors, &c., and all juvenile offenders in such cases where a parent would deem a sound whipping sufficient punishment.

P.S.—I beg to observe that, as a magistrate, I have never taken a fee of any sort or kind for business transacted before me, nor should I ever think of such a thing.—H. R.

Communication from J. B. PURVIS, *Esq., Alverstoke, Hants.*

"*Berry Hall, Alverstoke, near Gosport, Hants.*

In compliance with the desire of the Commissioners for inquiring into the County Rates, I send you herewith an account of the emoluments, fees, &c., claimed by the magistrates' clerk at the Gosport bench. Since in the commission of the peace I have been no sort of fee *whatever* has been received by me. The table of fees (a copy of which is also forwarded) has always struck me as furnishing a charge for the clerk to make too high, and often deters me from adjudicating the *fine* what it ought to be; and almost in all cases for petty offences the expenses exceed treble the fine. The information, summons, oath, conviction, and constable, amounting to 11*s.* 6*d.*, goes into the pocket of the clerk. In cases of assault, where the lower class are concerned, 15*s.* is a large sum; therefore the fine is proportioned to 3*s.* 6*d.*; the remainder expenses. This certainly requires alteration, and the slightest will either benefit the poor of the parish, or increase the funds of the county treasurer, by enabling the magistrates to increase the fine appropriated to either by statute.

Communication from J. H. REES, *Esq., Carmarthen.*

In regard to the fees, the magistrates and their clerks in the county are regulated by a table, allowed at the quarter sessions, under 18 Geo. III., cap. 19, s. 1, and approved by the Judges, as directed.

The only departure I am aware of from this table and the legal fees has been in the appointment of surveyors of the highways and overseers of the poor, in which cases the clerks receive 4*s.* 6*d.* for the appointment and instructions in lieu of the fees limited by the statutes on those subjects. When

I commenced acting as a magistrate, in the year 1828, I found that these fees were taken, and, though I have uniformly objected to them, I have not been countenanced by my brother magistrates in doing so, they considering that the printed instructions given the surveyors and overseers justified the extra charge. In the allowances made to constables, &c., for the apprehension of felons, &c., and to witnesses and prosecutors in felonies and certain misdemeanors, we are governed by a table of allowances, made by the court of quarter sessions, according to the direction of 7 and 8 Geo. IV., cap. 27, a copy of which the clerk will also transmit to you. In my private practice (not at petty sessions) as a magistrate I keep no clerk: residing nearly three miles from Llanelly town, where the clerk of the petty sessions for the district of Carnawllon resides, and being ten miles distant from the clerk of the petty sessions for the district in which this parish of Pembrey (viz., Kidwelly) is situated, in all cases which I do not refer to the petty sessions (and many such occur, as the delay in doing so would inconvenience the parties), I transact the whole business myself, and strictly adhere to the table of fees alluded to, when I take any, which I frequently do not, on account of the poverty of the parties. All cases of assault, unless compromised, I bring to the Llanelly petty sessions (as the county magistrates are not limited to divisions); and the chief causes brought before me, excepting assaults, are complaints under the Wilful Damage Act, and for the recovery of labourers' and seamen's wages, in which I find generally that the compensation, fine, or wages, with the constables' and witnesses' charges, are so heavy on the parties, who are frequently poor, as to preclude me from taking the fees on the hearing. Altogether the expenses I incur in obtaining law books, the statutes, printed forms, and attending petty and other sessions, far exceed the amount of the fees I personally receive.

With regard to the county stock I have to remark that the proportion paid to it by the parishes is very unequal and unjust, and the only appeal lying to the quarter sessions, where party feeling, I regret to say, frequently operates, redress is often not to be obtained. As to its expenditure, it has occurred to me forcibly that a great saving would be effected in the expenses on the prosecution of felons and others, if, instead of allowing each prosecutor to select his attorney, who may have an eye to his own interest, one solicitor were appointed for conducting all criminal prosecutions, who should be remunerated by a fixed salary, or otherwise. This plan is partially acted upon in this county, a county solicitor being nominated, at a salary, for this purpose. But prosecutors frequently employ other solicitors, especially at assize trials, whose charges are allowed.

I have never made any charge to the county on examinations, recognizances, and commitments of prisoners.

Communication from E. Lloyd, *Esq., Merionethshire.*

I have to observe that, in consequence of an understanding which has subsisted between me and the clerks of the petty sessions, the latter do not always charge the country people with the whole of what they are allowed by law, as some of the parties are far too poor to encounter the expense; consequently our proceedings are not always strictly legal: but as we have no other attorney living in the district, and the inhabitants are enabled to obtain justice at a moderate cost, our acts are scarcely ever called in question.

With respect to the county rates, the justices in quarter sessions assembled have received an intimation that they have not been fairly levied and collected in different parts of the county, and that property has not always been rightly brought into assessment in some of the parishes. An enlightened and independent member of the bench has turned his attention particularly to this subject, and we have every hope of being able to rectify any abuses which may have crept into the practice by the exercise of the power vested in us by the Acts of Parliament of calling for overseers' accounts, assessments, &c., in the course of a quarter session or two.

Communication from W. Nation, *Esq., Exeter.*

You will allow me, as an individual magistrate, to observe that I think it would be very desirable that the clerks should be selected from a class of persons who are readily accessible, and who can without inconvenience give up a considerable portion of their time to their duties.

In some of the smaller districts there is much reason to apprehend that some of the persons who act as clerks may not be, either from their education or situation in life, very well qualified for the duty, and my attention has sometimes been called to the slovenly way in which the duties have been performed. It appears to me important that there should be great regularity in taking down in writing the evidence which may come out before magistrates in cases of summary convictions, in filling up the convictions, and, when necessary, returning them to the sessions. It may be true that in some cases there may be no appeal, and in others the parties may not exercise their right; but in all cases, whether of appeal or not, it strikes me that it would be very desirable that it should be made imperative on the clerk, as a matter of course, to take the minutes of the evidence at the examination, and to keep them as notes to which reference may, if necessary, be made. I have no doubt that the proceedings before magistrates are generally very regular, but, in addition to their being so, it is a very important point to satisfy the public, and especially the poorer orders, that they are so.

Fines.

Communication from the Earl of Chichester *and Sussex Magistrates.*

"*Record Room, County Hall, Lewes.*

"A committee appointed to take into consideration (amongst other things) 'the keeping a more effectual account of fines imposed by justices in this county, and also the keeping, in a tabular form, an account of convictions,' having made their report, the sessions have adopted the same. The suggestions contained therein are embodied in orders of court made thereon.

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

"The committee confidently anticipate great benefit will result from the adoption of a uniform system in recording these proceedings, and that a more punctual payment of fines and penalties will be ensured by using certain forms of return, &c., and appointing a certain channel through which the whole should pass. And I am directed by the Earl of Chichester (the chairman of the quarter sessions for the eastern division of this county) to forward you a copy of the several orders, embracing the various forms, for the information of the Commissioners for inquiring into the County Rates, &c.

"W. V. LANGRIDGE, Clerk of the Peace."

Sussex.—At the General Quarter Session of the Peace of our Lord the King, holden at Lewes, in and for the County of Sussex, on Monday, the Sixth Day of April, in the Fifth Year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and in the Year of our Lord One thousand eight hundred and thirty-five, and from thence continued by divers adjournments to and holden at the Town Hall in Brighthelmston, in the County aforesaid, for General County Purposes, and for both Divisions thereof, on Friday, the Twenty-fourth Day of the same Month of April, before the Most Noble Charles Duke of Richmond, the Right Honourable Henry Thomas Earl of Chichester, Henry Charles Howard, commonly called Earl of Surrey, and others their Fellows, Justices of our said Lord the King, assigned to keep the Peace in the said County, and also to hear and determine divers Felonies, Trespasses, and other ill Deeds done and committed in the county aforesaid.

The committee appointed at the general adjourned session of the peace held at Brighthelmston aforesaid, on Wednesday, the 11th day of February last:

To take into consideration the keeping a more effectual account of fines imposed by justices, and also the keeping, in a tabular form, an account of convictions;

Also to take into consideration the form of order signed by magistrates for conveying offenders to prison;

Also to take into consideration the report of the committee appointed at the last Michaelmas session at Chichester, "to consider the expediency of amending the late regulation of allowances to constables on the apprehension of prisoners," with the view of assimilating the said allowances in both divisions of the county;

Also to revise the rules of practice at the quarter session for the said county:

Having made their report to this session, it is ordered by this court that the said report be received, approved, adopted, and forthwith carried into effect.

It is ordered by this court that in future all orders made upon the treasurer of each division of the said county, for the payment of allowances to, and the expenses of constables and others, for conveying offenders to the county gaol and houses of correction, be made out upon printed forms according to the form hereunder written, marked A, by the clerks of the respective benches of petty sessions, and signed by them previous to being submitted to the committing magistrate for his allowance and signature.

A.

County of Sussex, Division.

Dr. to

Prisoner. *Crime*

£. s. d.

To Constable, Headborough, or Tithing-man of - - - - -

for conveying committed by

from to on the day of

, being Miles, at One Shilling per Mile

For Subsistence of Prisoner whilst in Custody, days, at 9*d.* per day

For Lodging Ditto (if requisite), nights, at 9*d.* per night - -

Turnpikes actually paid - - - - - - - - - - -

Asssistant to Constable, (if absolutely necessary, and ordered by the Committing Justice,) days and nights, at each* -

Subsistence for the Constable or other Officer, and Assistant, at per day and per night each* - - - - - - - -

£

N.B. One Shilling per Mile allowed for the Conveyance of one Prisoner, and 6*d.* per Mile additional for each additional Prisoner.

* These allowances are not to exceed 2*s.* 6*d.* per day, and 2*s.* 6*d.* per night, each.

Sussex, to wit.—To the Treasurer of the Division of the said County.

I, one of His Majesty's Justices of the Peace for the said County, having examined into the above Charges and Expenses, and the same being verified on the Oath of the said and appearing to me just and reasonable, and conformable to the Order of Session, do hereby order you, the said Treasurer, to pay to the said the Sum of , being the amount of the said Bill.

Given under my hand the day of , 18

{Committing Magistrate.

Examined by me, }Signature of the Petty Sessions' Clerk.

I certify that, in my judgment, an Assistant to the Constable was absolutely necessary, and ordered by me, by reason of

Committing Magistrate.

*** *Note.* This form must be made out by the clerk to the bench of petty sessions, and signed by him previous to its being submitted to the committing magistrate for his allowance and signature, and the treasurer is not authorized to pay any such order unless the same is in strict conformity with the above form.

And it is further ordered by this court that the treasurers of the county rates raised within the eastern and western divisions of the said county respectively do not pay any order of any magistrate for such allowances and expenses, unless the same be in strict conformity to the form marked A, above mentioned.

It is ordered by this court that the clerks to the several benches of petty sessions in the said county do

keep a diary or journal in the form marked C, (hereunder set forth,) for recording all fines and penalties, justices' clerks' fees, and all other matters and proceedings at petty sessions, and before individual justices, namely:—

C.

1 Date.	2 Name of Complainant.	3 Name of Defendant.	4 Read or Write.	5 Offence.	6 Under what Statute.	7 Convicted, or how disposed of.	8 By what Justice, and where.	9 To what Prison committed.	10 For how long.

11 If Bailed, Names of Sureties.	12 Amount of Recognizances.	13 Fees to Clerk.		15 Fine or Penalty.		17 Amount of each Penalty, or Portion of it, payable to the County.	18 Amount of each Penalty, or Portion of it, payable otherwise.	19 To whom, and under what Authority.	20 Remarks.
		Charged.	Paid.	Imposed.	Paid.				
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		

And it is ordered by this court that the following directions and instructions for keeping the said diary or journal, and for making the entries therein, be given to the said clerks of petty sessions for their guidance, and which they are hereby required to comply with :—

Instructions for keeping the Justices' Journal.

1. This diary or journal is to be kept by the justices or their clerk, and in it are to be recorded every conviction, commitment for trial, bailed case, complaint for sureties of the peace, for wages, parish cases, and all other matters occasioning costs, whether at petty sessions, or before individual justices.

2. The proceedings so recorded are to be signed by the justices' clerk previous to each petty sessions, when the book shall be produced for examination by the justices, and the chairman of such petty session shall sign the proceedings at and subsequent to the sittings preceding.

3. As this book is intended to serve as a reference, for the use of the justices, an alphabetical index should be attached to it, giving the names of the offenders or principal parties concerned in each case, with the number of the folio in which such case is recorded.

4. A table of the clerk's fees, ordered by the court of quarter session, should be inserted in each of these books.

5. Column 1 is intended for the date when the case is decided, and not the date of the summons, If, however, it should be found in some instances desirable to enter the date of the issuing of a warrant or summons, then a second entry must be made when the case is determined.

6. Column 4 is intended for the purpose of recording the fact of an offender's being able to read and write, or otherwise; which should be done by inserting the letter R. if he is only able to read; W. R. if able to write and read; and N. if able to do neither.

7. The money columns of this journal should not be cast up, nor their products carried forward *in ink*, till the end of the quarter, when the abstract is to be made out, and returned to the quarter sessions.

8. If a penalty is imposed in a preceding quarter, and paid or discharged by imprisonment in a succeeding one, such payment or discharge should be entered in red ink; if paid, then on the day whereon the justices' clerk either receives the payment, or receives a notification of payment having been made to the keeper of the prison to which the offender is committed; or, if discharged by imprisonment, then on the day when the term of such imprisonment expires.

And a similar entry of such payment or discharge should likewise be made at the same time, and also in red ink, opposite the date on which the penalty was first recorded.

9. The money entries so made in red ink should not be cast up with the others, but will have to be extracted for the quarterly return, and entered in the several columns of that return, as therein directed.

10. It is particularly desirable that all fees whatever received by the clerks should be accurately entered in this journal on the day when they occur.

It is ordered by this court that the clerks to the said several benches of petty sessions in the said county do make out a quarterly abstract from the said diary or journal, in the form marked D, (hereunder set forth), and do transmit the same to the clerk of the peace three days previous to each general quarter session, namely:—

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

D.

QUARTERLY ABSTRACT from the JUSTICES' JOURNAL of the Division of Petty Sessions.

1 Date.	2 Amount of Fees payable to Clerk.	3 Amount of Fees paid to Clerk.	4 Amount of Penalties payable to County.	5 Amount of Penalties paid to County.	6 Amount of Penalties discharged by Imprisonment of Offenders.	7 Amount of Penalties still due to the County.	8 Number of Convictions.	9 Number of Commitments for Trial.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		
From								
To								

10 Arrears of Penalties brought from preceding Quarter	11 £. s. d.	12 £. s. d.
Of which { Discharged by Imprisonment of Parties . . .		
Of which { Discharged by Payment of		
Still due from for .		
——— from for .		

13 Balance of Arrears . £. s. d.	14 Total Amount of Penalties received for County.
Arrears to be carried forward .	£. s. d.
	Of which { Paid at Prison —— at do. —— at do. Paid over by me to the Clerk of the Peace .
	Clerk to the Justices.
Remarks.	
We certify the above account to be correct.	*Justices.*

[Indorse.]

Quarterly Abstract.
Petty Sessions.
———

PENALTIES payable to the County Treasurer.

£. s. d.

From Prison
From do.
From do.
From Justices' Clerk
£

Petty Sessions' Clerk.

Dated the day of 18 .

And it is ordered by this court that the following directions and instructions for making out the said abstract, and checking the accounts, be given to the said clerks of petty sessions for their guidance, and which they are hereby required to comply with, namely:—

Instructions for making out Quarterly Abstract.

1. This form is intended as an abstract from the book C, and will contain a summary of the justices' proceedings during one quarter, so far as they relate to the several matters specified in its different headings.

2. This abstract should be made out and signed by the clerk to the justices, and submitted to them for their examination on the day of their sittings next preceding each general quarter sessions, or on such other day within a week of the same as the said justices may appoint.

3. The abstract thus examined to be signed by two justices of such petty sessions, and to be sent to the clerk of the peace three days previous to the first day of each quarter session, and the amount of penalties in the hands of such clerks to be paid over to the said clerk of the peace.

4. This abstract so returned to the clerk of the peace shall by him be handed over to the county treasurer at each quarter session, with the amount received, and an account thereof as directed by order of session.

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

5. The penalties returned in this abstract are to be confined exclusively to penalties payable to the county, those entered in columns 4, 5, 6, 7, being the penalties imposed *during the current quarter*, and those in columns 10, 11, 12, being arrears from the preceding quarter.

6. To this abstract shall be appended an abstract of justices' certificates of fines payable to the King (form H), which are required by the 3 Geo. IV. c. 46, s. 2, to be sent to the clerk of the peace previous to each quarter session.

This court is of opinion that the foregoing forms, marked C and D, are calculated to afford every facility for recording all matters brought before the justices, and, if properly kept, that they will secure an accurate account of all penalties payable to the county, and consequently a more regular and punctual payment of them than heretofore.

This court is also of opinion that for the purposes of most petty sessions the form C will be quite sufficient for recording all matters brought before them; but as it may probably be more convenient for the larger and more populous districts (such as Brighton) to keep a second book, upon a similar plan as to form D, for the purpose of recording therein separately all proceedings relating to parish matters, this court doth recommend the justices in petty sessions to give such directions thereon as they shall think best calculated to insure the correct entry of the same.

It is ordered by this court that the clerks to the several benches of petty sessions in the said county do insert in the margin of every commitment for non-payment of a fine or penalty the name of the party to whom the same, or any portion thereof, is payable.

In order to enable the several justices and their clerks to make the due entries of fines and penalties in the said journal and quarterly abstracts respectively, according to the said instructions, and also for more effectually checking the payment of penalties, this court doth order that in future the keeper of each prison in the said county, upon the payment of any fine or penalty by any prisoner in his custody, (committed in default of payment thereof,) do immediately after the discharge of such prisoner write to the clerk of the bench of petty sessions from which such prisoner was committed, also to the party entitled to receive such fine or penalty, or any portion thereof, (except where the same is payable to the King, or to the county treasurer,) notifying the payment of such fine or penalty and the consequent discharge of the prisoner, and specifying the prisoner's name, and the name of the committing justice, in the form marked E, (hereunder set forth,) namely:—

E.

Gaol or House of Correction at ——————.

—————— 18 ——.

Sir,

I acquaint you that ——————, committed by ——————, on the ——— day of ——————, 18——, for the non-payment of £——————, under his conviction for ——————, has paid me the amount of such penalty, and was this day discharged out of my custody.

I am, Sir,

Your obedient servant,

——————, Keeper.

To ——————

——————.

And it is further ordered by this court that the said keepers do regularly enter such payment and discharge in their daily journal.

And it is also further ordered by this court that the said keepers do keep a separate account of all penalties received by them respectively that may be payable to the county, and do send a return thereof, signed by themselves and two visiting justices, to the clerk of the peace, specifying the names of the parties by whom such penalties have been paid, and also the name of the committing justice, in the form marked F, (hereunder set forth,) namely:—

F.

RETURN to be made by Keepers of Prisons to the Clerk of the Peace, at every General Quarter Session of the Peace.

Session 18 , *House of Correction (or Gaol) at*

Date of Commitment.	Name of Prisoner.	Name of Committing Justice.	Offence.	Amount of Penalty, or Term of Imprisonment in Default of Payment thereof.		When Penalty paid to Keeper.	Remarks.
				Penalty.	Imprisonment.		
				£. s. d.			

Examined,

Dated the——————day of——————18——————

—————— Keeper.

——————
——————
} *Visiting Justices.*

And it is also further ordered by this court that the keeper of each prison in the said county do pay the monies so received by him on behalf of the county to the clerk of the peace, at or before each general quarter session of the peace, together with the said return, marked F.

It is ordered by this court that the clerk of the peace do pay over the said penalties received by him from the clerks to the several benches of petty sessions, and keepers of prisons, to the treasurer of that division of the county within which the offence was committed, and to which respectively the same are payable, together with the quarterly abstracts and returns sent to him by such clerks of petty sessions and keepers respectively, accompanied by a general abstract thereof in the form marked G, (hereunder set forth,) namely:—

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

G.

General Quarterly Abstract of Penalties payable to the Treasurer of the _____ Division of the County of Sussex, received by the Clerk of the Peace, from the Keepers of Prisons and Petty Sessions' Clerks.

_____ Session 18——.

		£. s. d.
From the Keeper of _____	Prison	
Ditto	Prison	
Ditto	Prison	
From the Clerk of _____	Petty Session	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Ditto	Ditto	
Total		£

(Signed)

Dated this day of 18 }

Clerk of the Peace.

It is also ordered by this court that a regular account of all fines payable to the King be prepared by the clerks to the several benches of petty sessions in the county, in the form marked H, (hereunder set forth,) and certified by the convicting justice, and sent to the clerk of the peace, previous to each general quarter session, pursuant to the Act 3 Geo. IV. c.46, s. 2, to be by him entered on the sheriff's roll, pursuant to the directions of the said Act.

H.

Certificate of Fines before Justices, 3 Geo. IV. c. 46, s. 2.

Name of Party convicted.	Residence.	Trade, Business, or Calling.	Amount of Forfeiture.	If paid, to whom.	Cause of each Forfeiture.
			£ s. d.		

I hereby certify that the above fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them, or any of them, have been set, imposed, lost, or forfeited before me.

Dated this day of 18 .

To

The Clerk of the Peace of the County of Sussex.

_____ { *One of His Majesty's Justices of the Peace for the County of Sussex.*

It is ordered by this court that a copy of the foregoing orders, directions, and instructions, for making out and keeping the said journal, abstract, and forms, marked respectively A, C, D, E, F, G, and H, be made and sent by the clerk of the peace to each bench of petty sessions in the county, for the use of the justices acting thereat respectively, and for the guidance and information of their clerks.

And it is also ordered by this court that the clerk of the peace do send to the clerk of each bench of petty sessions in the said county an extract from the report of the said committee made to this session, so far as relates to the keeping an account of fines imposed by justices of the peace out of quarter session payable to the King, and as relates to the certificate of the said justices thereof to the clerk of the peace, under the Act 3 Geo. IV., c. 46, s. 2

By the Court,
LANGRIDGE,
Clerk of the Peace.

Extract above referred to.

The committee beg to call the attention of the court to the Act 3 Geo. IV. c. 46, s. 2, relating to fines payable to the King, which enacts that "after 29th September, 1822, all fines, &c., set, imposed, lost, or forfeited by or before any justice of the peace in England shall be certified by the justice by or before whom such fines, &c., shall be set or imposed, to the clerk of the peace of the county, &c., in writing, containing the names and residences, trade, profession, or calling of the parties, the amount of the sum forfeited by each respectively, and the cause of such forfeiture, signed by such justice, on or before the ensuing general or quarter session of such county, to be by him entered on the sheriff's roll."

The first section of the above Act does not repeal the account prescribed by 41 Geo. III., c. 85, to be kept by justices or their clerks, which is to be "an account in a book to be provided for that purpose of the amount of every fine, forfeiture, or penalty set or imposed by such justice, specifying the place and time and manner of adjudication, the nature of the offence, and the Act or Acts under which the same was adjudged, and the name of the person on whom such fine was imposed; distinguishing whether the same was paid or levied, and what part thereof, if any, has been or shall be paid or payable to any body corporate, commissioners, or persons, with the name and description of such respectively, and the authority under which such share is claimed;" but merely repeals so much of the said Act as relates to the *annual payment* of the fines received by the justices, under the authority of the said Act, *to the sheriff*, previous to each Michaelmas session,—and as requires the said justices to transmit *yearly* to the clerk of the peace, at Michaelmas, an account of such fines.

Communications respecting Magistrates, Magistrates' Clerks, Fees, Salaries, Fines.

Communication from J. Formby, *Esq., Liverpool.*

An association for the prosecution of felons in the Ormskirk division has existed a few years, but has not been called upon to institute any prosecution yet. It has, however, somewhat kept the depredators in terror, in my opinion.

The most flagrant part of our mismanagement (if I may use the term) is in neglecting to keep proper accounts of the levying and collecting of fines, or in not inquiring and knowing that all fines are properly and legally applied; I speak in this case more particularly of the court at Kirkdale petty sessions. Another matter I would suggest that the Commissioners should take into their consideration, viz., how to remedy the farce of recognizances to keep the peace. These are virtually forfeited every day, but no surety was ever called upon to forfeit or pay the amount of his recognizance that I ever heard of. I have an instance now before me. Two sureties in £60 each were bound with a notoriously bad character that he should keep the peace for twelve months; he has lately fought three pitched battles; with difficulty I obtained evidence of this. I have issued a warrant against the offender, whom the constable, I believe, dare not take into custody; yet his bondsmen have no fear of being called upon to pay, and the attorneys say that it costs generally more than the amount sought, to recover any forfeiture.

Country constables, generally speaking, are very inefficient, but are mighty men in beer-houses, the regulation of which dens of iniquity virtually lies with them.

I have omitted, on the subject of fees, to remark that I never received a farthing in any shape or way, nor do I believe any magistrate in either the Kirkdale or Ormskirk division ever did.

Communication from the Rev. E. Postle, *Colney, Norfolk.*

I beg leave to suggest what I think is worthy of consideration, namely, that all fines, or parts of fines, on summary convictions, now payable to the county treasurer by overseers or high constables, be paid direct to that officer by the magistrates' clerk. This would prevent much trouble and occasional misunderstandings, which arise from the present method of paying them through a third party; but the magistrates' clerk ought to be compelled to keep an account of all fines received by him, such account to be signed (each case) by the committing magistrates, and a quarterly copy thereof returned every sessions, to be examined; and, in default of such return, a penalty to be inflicted. I would in this point refer you to the Report I sent you. The recommendation there made on the subject is only partially attended to in Norfolk; nor, that I know of, is there any way of enforcing general attention to it but with the assistance of magistrates at petty sessions.

Communication from W. Williams, *Esq., Stoke-upon-Trent.*

The magistrates in this neighbourhood usually allow the constables 5*s.* for their trouble in apprehending each prisoner in cases of felony, and 1*s.* per day for the maintenance of each prisoner in the lock-up. The allowance for conveying prisoners to gaol is regulated at the quarter sessions.

I take leave to draw the attention of the Commissioners to the necessity of some proper method being adopted to insure the due collection and payment of fines imposed by magistrates, which should go in aid of the county rate, but I fear very many of them never reach their intended destination. If each constable were furnished with proper forms, and compelled to make a return, such as the one sent herewith, and a proper person appointed, with a salary or per centage, to examine and compare such returns with returns to be made by magistrates' clerks of all cases heard before the magistrates for whom they acted in which fines were imposed, I am quite sure that considerable sums would find their way into the county treasury, which, under the present system, are lost.

TREASURER AND ACCOUNTS—GENERAL MANAGEMENT, &c.

Communications respecting Treasurer and Accounts, general Management, &c.

Communication from M. H. Court, *Esq., Maidenhead.*

With a view to relief of charges upon the county rate, as well as in due consistency with justice and expediency, I would beg leave to suggest—

That in all cases of commitment of offenders to prison for non-payment of penalties and costs under the provisions of 7, 8 Geo. IV. c. 29 and 30, and under the Game Laws, or any other enactments of the Legislature, providing for the protection of private rights and interests, which it may be competent for one justice to adjudge by summary conviction, that the charges for conveyance of such prisoners should be defrayed at the cost of the prosecutor, unless the convicting magistrate should certify that the condition of life and circumstances of the prosecutor render him incapable of incurring such charges, when the treasurer of the county may be required to discharge them out of the county rate.

That in all cases of prosecutions for homicide, robbery, burglary, arson, forgery, and offences comprised under the enactments 6, 7, 8, 10, 11, 12, 14, 18, 21, 22, 23, 25, and 58 of 7, 8 Geo. IV. c. 29, and those of c. 30, s. 2, 5, 8, 9, 10, 11, 12, 13, and 17, the costs should be defrayed out of the Consolidated Fund. In all other cases, as heretofore, out of the county rate.

That, in the case of bridges, the charges of those which are erected over the great rivers, when not otherwise provided for by individual or municipal obligation, should be discharged out of the Consolidated Fund; the bridges of communication over the tributary streams and causeways being, as heretofore, maintained at the county cost.

As regularity and publicity of accounts offer the most efficient securities for economy and the exercise of a sound discretion in those who control the expenditure of the county rate, that the county treasurer be required to publish, in the county papers, quarterly abstracts of receipts

Communications respecting Treasurer and Accounts, general Management, &c.

and disbursements, giving, under general heads of detail, all sums received for the use of the county during each quarter, and the disbursements chargeable to the county, under the respective purposes and periods to and for which they have been applied, stating the expense of each bridge specifically, and that the treasurer be held responsible for the accuracy of such account; and that he be not permitted to repudiate any account so published.

Experience has demonstrated the utility of some such provisions. In this county accounts have been published of a most vague and unsatisfactory nature. Sums which some years since were borrowed under Act of Parliament for building Marlow bridge have not been entered as received, nor the disbursements on such account. The sums received and expended on account of Special Commission, 1831-2, remain in equal obscurity. The treasurer, in open court, repudiates his own published accounts. The county rates, and sums which ought to be received for borough prisoners, do not appear to have been regularly brought to account. The balance abstracted, on reference to the receipts and disbursements as stated in the published accounts, is at variance with the balance represented by the treasurer himself.

A committee of seven magistrates having undertaken the task of examination, and establishing a system of regularity in the accounts, request the attendance of the treasurer with his books, that they may be enabled to reconcile such discordances. The treasurer refuses acquiescence. The committee in report to the quarter sessions desire that the treasurer may be enjoined to comply. The quarter sessions disregard the recommendation of the committee, and determine upon receiving the balance as represented by the treasurer.

These are facts, however incredible they may and must appear, which have actually transpired in open court when the Earl of Radnor presided; and it is, therefore, quite fitting summarily to deliver them here, as grounds for recommendation that the law should enact that the accounts of the county treasurer should (under penalty) be at all seasonable times open to the inspection of one or two magistrates of such county, if not to the rate-payers generally.

Communication from J. WHEBLE, *Esq., Berks.*

The slight experience I have had as a magistrate does not enable me to suggest any improvement connected with the expenditure of the county rate, or relating in any way to the county rate, unless it be in the system by which the clerk or treasurer of the county is allowed to be always one quarter in arrear with his accounts, instead of making up his books (as far as is practicable) to the day of holding the quarter sessions.

Your inquiries seem not to extend to the *wages of justices* at quarter sessions, which in Berks are, I find, 4*s.* per day; but the gross amount of wages must not exceed £48 per annum. This sum comes out of the Exchequer.

Communication from J. J. BULKELEY, *Esq., Linden Hill, Maidenhead.*

I have to observe in reply to your letter of the 7th of August, with regard to fees and emoluments of every description claimed by the magistrates in this division, that we never receive any fees; and in my own case, and when acting with neighbouring magistrates at our respective houses, order those fees, when enforced, which belong to the clerk of the division *as his wages*, to be paid to the constables, and on the regular bench-days inform him of the sums that are due to him.

The only sums allowed by Government that I am aware of are those termed Justices' Wages, and I believe amount to 4*s.* to each justice who attends at quarter sessions, and 2*s.* to the clerk of the peace.

As far as my opinion goes, I shall be rejoiced at this sum being no longer allowed, for all must be aware that it is by no means adequate to the expenses to which magistrates are put, and, though a most trifling sum, nominally precludes them the honour of serving their country and neighbours gratuitously.

I believe there are few magistrates who attend the quarter sessions (travelling charges included) under £5 or £10; and it is a fact that in many places, during the quarter sessions, prices are considerably augmented. The account for justices' wages is subjoined.—*See No.* 1.

These sums have been received by the treasurer to the dinner fund from the respective under-sheriffs, and credited for, in that account.

I will say a word or two with regard to the dinner fund.

The magistrates have formed a club, amongst SUCH AS WOULD JOIN, in a subscription of a guinea a year each, and which is appropriated to the payment of the dinners of those magistrates who attend at sessions; it is but reasonable that those who do not attend should contribute in this way to the expenses of those who transact the business of the county.

I have found by experience that nothing contributes so much to the advantageous investigation of the county business as a full attendance of magistrates at quarter sessions.

I do not mean to infer that a few neighbouring magistrates, who habitually come to quarter sessions, would not transact the business as well as a more numerous attendance; but I assert that it is the knowledge that each individual magistrate carries home from which the most beneficial results have emanated: this knowledge he communicates to his neighbours; it leads to discussion; errors are rectified and improvements made, which, perhaps, would otherwise never have been attended to.

Now, it is very well to say that magistrates care not for the personal expenses to which they are put: still they are a body, giving, it is true, their gratuitous services for the good of the country; they should, however, have some rules and regulations for their own government: would not a compulsory regulation of this kind introduced into counties be of great advantage, and act in two ways? Those who remained at home would be put to some expense, and those who acted for them would be partly relieved of a great expense.

I am of a committee for inquiring into this fund, and we are about to draw up rules and regulations; should any further information be required relative thereto, I shall be most happy to give it.

Communications respecting Treasurer and Accounts, general Management, &c.

As I find that the clerk of this division has been directed to fill up a return with regard to fees, &c. &c., I shall confine my remarks, as is also required in your letter, to "other heads of expenditure affecting the county rates."

I had the honour of being chosen chairman of a committee for inquiring into the state of the county gaol at Reading, &c. &c., and the labours of the committee have been attended with the most beneficial results to the county, as the following table will show.—*See No.* 2, *folio* 4.

	1831	1832	1833	1834
Total number of prisoners	581	495	640	704
Expenditure	£3,895	£2,875	£2,831	£2,375

And which demonstrates, notwithstanding an increase of 123 prisoners in 1834 compared with 1831, a decrease in the expenditure of the latter year of £1,520; if the receipts are deducted, those of 1834 being more considerable, a further advantageous gain to the county will be shown: the like comparison may be made with the intermediate years, and will prove equally favourable for the present system of management.

I was also named chairman of a committee for inquiring into the finances of the county, with a view to the best method of publishing a quarterly and an annual detailed account thereof.

See No. 3.—I enclose a book, as it may probably convey much of the information you require.

See No. 4.—This book was not circulated, as you will find by the Report and proceedings at the last Midsummer sessions, and thus the labours of the committee have terminated.

You will find at page 9, in the book, an answer to your question relative to allowances to constables, &c.; and at page 39 the date, name of constable, parish or place, name of offender, number of miles, and the charge. It is obvious that this account contains much useful information, and would materially assist in regulating the charges of constables. The same observation applies to many of the other accounts.

To show the absolute necessity for publishing an annual account, I will take, from amongst many, two items, one of receipt, and the other of expenditure, from which very different results would have been shown, had there been a printed explanatory and detailed annual account subjoined.

No. 5.—Fines. *See also pages* 6 *and* 27 *in the book.*

No. 6.—Gaols. *See page* 8, *and note at foot thereof.*

No. 7.—Maidenhead gaol.

No. 8.—Motion relative to gaols.

No. 9.—Constables in attendance at petty sessions.

It is hardly necessary to observe that the committee had contemplated a few alterations in the prefatory remarks in the book: as, for instance, the county rates being paid to one banker or his agents, and that these books should be distributed by the clerks of divisions to the several parishes; and also that the correction of some errors of the press, and some additions, are required towards completing the book, independently of examining into and reconciling these accounts, and which it was their purpose to have done when so empowered.

The form or abstract at the commencement of the book is that recommended by the committee and adopted for the quarterly accounts, which are transmitted to the clerk of the peace by the treasurer, and which the treasurer also causes to be printed, pursuant to the statute, for general information.

You will observe that the abstract at the commencement of the book is not only an account, but forms an index to the explanatory and detailed account by which it may be examined, and also affording means with little trouble to those who may be induced to compare this account with the printed quarterly accounts, and, being in the same form, to perceive at once if all the items of receipts and payments found in those *printed copies of the recorded* accounts are inserted in this.

As regards the several heads of the detailed account of receipts and payments, the committee have had recourse to the printed forms of other counties, and you will find clear and explicit statements of the several accounts under the respective heads, notwithstanding the many difficulties the committee have had to contend with.

Should it be determined at some future period to have an annual account, no doubt, many of the difficulties having been got over, an annual account containing much useful information, and by which the quarterly accounts and abstracts can be satisfactorily proved, may be easily accomplished.

A considerable diminution of expenditure has been the consequence of the inquiries of the committee, and no doubt the most desirable results would have attended their inquiries, coupled with the publication of the annual account; and however they may regret, after all their pains and trouble, that their labours were not allowed to be completed, yet it is a satisfaction to observe that considerable success has attended their endeavours, as is manifested by a greater regularity and correctness in the accounts, and a considerable decrease in the expenditure of the county rate.

I have two observations to add, and which I am convinced would tend materially to regulate and diminish the expenditure of counties.

The first is, that an account, in which shall be fully detailed and explained every item of receipt and expenditure, be published annually, and for the same period, in every county, and that a Report with one of these accounts duly authenticated be transmitted to the Secretary of State, and that they be ordered by the House of Commons to be printed similar to the gaol returns, and that a copy of such returns, together with the gaol returns, be transmitted to a committee of accounts to be established under certain regulations in every county.

The committee would thus be enabled to gain much useful information, and the well-regulated receipts and expenditure of our county would soon cause a corresponding account from other counties, and the attention of the committee might be directed to any item of receipt or expenditure in the account on which they should be required to report.

Secondly, it would be advisable to have a *Special Sessions* in January of each year, to be held in the largest and most populous town in each county, for the confirming, and despatch and full inquiry into, the county business of the past year, and that the annual account from Michaelmas to a certain day in Michaelmas, to be inclusive, be prepared and printed for the quarter sessions.

Should you deem any further information requisite it will give me pleasure to convey it.

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Documents *referred to in the preceding Communication.*

No. 1.—Account of Justices' Wages.

An Account of the Sums allowed the following Under-Sheriffs in their Accounts in the Exchequer for Justices' Wages, being 4*s.* a day for such Justices as attend at Quarter Sessions, and 2*s.* to the Clerk of the Peace.

	£	*s.*	*d.*
Foreign Apposer	5	12	0
Ditto	5	12	0
Chancellor of Exchequer	48	0	0
Ditto	39	0	0
Ditto	48	0	0
Foreign Apposer	5	10	0
Chancellor of Exchequer	48	0	0
1830—Ditto	38	16	0
1831—Ditto	36	2	0
1832—Ditto	48	0	0
1833—Ditto	48	0	0
1834—Ditto	*48	0	0
Total Justices' Wages	418	12	0
*Not yet received	48	0	0
	370	12	0
To Under-Sheriffs for receiving	42	0	0
Total received on account of Dinner Fund	328	12	0

No. 2.—Yearly Expenditure and Returns and Tables of the Gaol and House of Correction at Reading, with Observations, &c., thereon ; 1833-34. (Extract from.)

Disposal of Prisoners since Michaelmas, 1833, to Michaelmas, 1834.

	Male.	Female.
Hanged	1	0
Transported	53	1
Imprisoned for different periods, and since discharged	383	45
Acquitted and discharged	60	1
Discharged on recognizance	1	0
——— payment of fines	9	0
Debtors discharged	36	1
Now in custody for assizes	5	0
———, and take their trials at these sessions	18	4
Debtors in custody	17	0
In custody for different periods	58	11
Total	641	63

Comparative Number of Prisoners committed to the Gaol and House of Correction for the following Years, ending Michaelmas, 1834.

	Total Number of Prisoners.			
	1831	1832	1833	1834
Convicted felons	154	92	87	127
Ditto Misdemeanors, including those under summary convictions	122	84	145	141
Assaults	31	54	58	51
Game Laws	31	60	65	86
Committed on a charge or suspicion of felony	71	37	34	44
——— ditto ditto misdemeanors	15	17	15	15
Soldiers	12	11	23	18
Debtors	48	38	55	53
Vagrants	73	67	104	104
For further examination	24	35	54	65
Total	581	495	640	704

Expenses of the County Gaol and House of Correction for the following Years, ending Michaelmas, 1834, with the Receipts for each Year deducted, showing the actual Sum charged on County Rates.

	1831.			1832.			1833.			1834.		
	£.	*s.*	*d.*	£.	*s.*	*d.*	£.	*s.*	*d.*	£.	*s.*	*d.*
Expenditure	3,895	16	5	2,875	8	10¾	2,831	15	0½	2,375	9	0¼
Ditto New works	163	8	4	139	15	0	979	7	2	444	12	10¾
Total Expenditure	4,059	4	9	3,015	3	10¾	3,811	2	2½	2,820	1	11
Receipts	164	17	4½	177	15	7½	196	3	7½	338	8	9
Total Expense	3,894	7	4½	2,837	8	3½	3,614	18	7	2,481	13	2

Examined and allowed. Moris Ximenes, H. Russell, J. Blagrave, } Visiting Justices.

Rules relative to Dietary, Folio 2 of the Printed Returns of the Gaol and House of Correction at Reading.

No. 1 shall be given to all male prisoners condemned (except for murder) or sentenced to transportation, or committed to hard labour for any period exceeding three months, all working at their respective trades or otherwise, entirely for the benefit of the prison, females employed in the washhouse and laundry, and those nursing their children.

No. 2 shall be given to deserters and boys under seventeen years of age, and to prisoners for trial who do not work, (except misdemeanors and for want of sureties,) for contempt of court, for further examination, King's evidence, and to all prisoners sentenced or committed to hard labour for any period exceeding one and not exceeding three months; and that the dietary

No. 3 shall be given to debtors entitled thereto by rule, but without soup or gruel. All vagrants and re-committed prisoners for hard labour or otherwise, sentenced for any period not exceeding one month, and to all other prisoners who may be entitled by law to receive food from the county; and it is lastly ordered that the above shall be the general appropriation of the dietaries for the subsistence of prisoners, with the exception

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of recommitted prisoners to the houses of correction at Reading or Abingdon, who shall have no indulgence whatever, and be restricted (whatever their diets may be on the days of the week) to bread and water during the Sunday.

Prisoners on the days they are received or discharged to be allowed half diet, to consist of three quarters of a pound of bread and one pint of gruel.

But the visiting justices shall make *(by a written order)* from time to time such *individual* exceptions or additions to the several classes here named, with respect to diet, as they shall think proper; and should any prisoner appear not to be included in any of these classes, the visiting justices shall order for him or her such dietary as they shall judge most appropriate to his or her description of offence, regard being had in all cases to the health of the prisoners, and the labour to which they are put.

But if a justice shall order any prisoner to be punished by solitary confinement for any time not exceeding one month, such justice may also order such prisoner to be kept on bread and water only during that time.

The keeper to make a weekly written report, to be entered by the visiting justices in their book, of all prisoners on bread and water during the week, and of those prisoners who maintain themselves, pursuant to the rules and regulations.

It would be very desirable to have an account from each gaol of the yearly expenditure.

This account gives at one view every item of expense, and is kept in the same form, the figures alone being changed, and also serves for a quarterly account.

All the heads of receipts are likewise given, whether sums are received under those heads or not.

Folio 2 is the store-keeper's return.

The advantages to be derived from the returns of other gaols, which were procured for the use of this gaol, are here shown, especially in the contract for clothing, the saving in each man's suit being 15*s.* 3*d.*, and in a boy's 19*s.* 2½*d.*, &c. &c.

Folio 2. By a new system and regulation of diet a very considerable sum is saved, and a great moral good effected.

The bread, which was of the quality called seconds, is now wheaten thirds.

The charge for diet formerly averaged 3*s.* 6*d.* per head per week; by the last Midsummer return it was for No. 1 diet, 1*s.* 8*d.*; No. 2, 1*s.* 5¾*d.*; No. 3, 1*s.* 2*d.*

Folio 3. A very considerable saving has been made by the introduction of this infirmary diet table, procured from St. George's Hospital.

Formerly the sick had the gaol allowance of bread, besides other indulgences.

It is shown by the comparative tables for the years 1831, 1832, 1833, and 1834, that the number of sick, and charge, were considerable. Now there are seldom more than one or two sick in the infirmary.

At the first introduction of this diet the idlers shammed illness, as before; however, the surgeon soon put a stop to it by ordering those men to be kept to their beds on the low diet.

I believe few, if any, remained in the infirmary more than a day. They soon found that their being there was a saving to the county: the charge for extras last quarter amounted to 6*s.* 11½*d.* only.

Folio 4. The tables of No. 2 and description of prisoners, besides much useful information, would offer the means of comparison with the account, and that of other gaols, and would probably lead to much improvement.

Folio 4. The return of recommitted prisoners will, at a glance, show its utility, especially if similar returns were made from every gaol.

These prisoners are now subjected to greater restraint.

They continue to decrease.

The table might be improved by stating the three worst offences, and adding a description of the offender.

J. J. B.

Ordered that the following regulations be established in the infirmary of the gaol, and that they be drawn up in a clear legible writing, pasted on a board, and affixed to the wall of the infirmary:—

No smoking or the use of tobacco in any form shall be permitted.

No sick prisoner is to be permitted to move out of the infirmary except by directions of the surgeon.

Under the directions of the surgeon, the keeper will select one or more of the prisoners who may appear most fit and most worthy to attend upon the sick, and such prisoner shall, in addition to his ordinary gaol allowance, be allowed

The attendant upon the sick shall be responsible for the conformity of the sick to the directions of the surgeon, and to the regulations of the gaol and infirmary.

The attendants, being guilty of any neglect, shall be subject to such punishment as the visiting justices may direct.

The keeper or a turnkey shall accompany the surgeon in his visits to the infirmary, and receive his directions respecting the diet and treatment of the prisoners, and take due care to provide accordingly.

The diet of the sick in the infirmary shall be regulated according to the following scale, by which the surgeon will regulate the allowance to each sick person:—

ORDINARY DIET.—To each person daily.

Three quarters of a pound of bread, one quarter of a pound of meat, and one quart of gruel.

EXTRA DIET.

Three quarters of a pound of bread, half a pound of meat, and one quart of gruel.

LOW DIET.

Three quarters of a pound of bread with barley water, and such as may be ordered by the surgeon.

When tea may be ordered by the surgeon, one-twelfth of an ounce of Bohea, with half an ounce of sugar, shall be allowed for each time it may be ordered, whether for breakfast, for supper, or for both. This, with a quarter of a pint of milk, is to be considered a full proportion.

No. 3.—The ANNUAL ACCOUNT of the TREASURER of BERKS, from Michaelmas Sessions, 1833, to Michaelmas Sessions, 1834.

COMMITTEE.

Sir MORIS XIMENES.	MAJOR HENRY COURT, Esq.
Major-Gen. Sir HENRY W. ROOKE, K.C.H.	ROBERT HARRIS, Esq.
HENRY RUSSELL, Esq.	JAMES HAYWARD, Esq.

CHAIRMAN, J. J. BULKELEY, Esq.

Pursuant to an order of court, the committee preface these accounts with such comments and observations as may tend to elucidate them.

Abstract.—The accounts of receipts and payments are from Michaelmas, 1833, to Michaelmas, 1834, that is, to the Epiphany, Easter, Midsummer, and Michaelmas Sessions, 1834, inclusive.

County Rate.—The basis upon which the new county rate was made in the year 1822 was upon the amount of real property assessed to the property tax in the year 1815.

High Constables.—At the Epiphany sessions holden at Reading on the 5th of January, 1835, it was ordered, "That the respective high constables be requested to pay the county rate to the treasurer *ten days*

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previous to each quarter sessions. That the treasurer be instructed to transmit to the clerk of the peace a list of *the defaulters*, and that the clerk of the peace do call over the names contained in such list at the opening of the sessions, instead of the general list, and that notice thereof be given to the high constables by annexing it to the warrants."

The intention of this order is to relieve the *high constables* from the inconvenience and expense they are frequently put to in travelling to a great distance to attend the court of quarter sessions, to pay the county rates, and obtain their discharge. This may be accomplished by their paying these rates to the following bankers:—Abingdon, Messrs. Knapp and Co.; Reading, Messrs. Stephens, Harris, and Co.; Maidenhead, Messrs. Stephens, Harris, and Co.; Newbury, Messrs. Bunny, Slocock, and Co.; (and the treasurer has undertaken so to arrange,) who would keep an account thereof for the treasurer, and give a receipt to the high constable.

It was ordered "That, in addition to the quarterly abstract, a more detailed account shall be published for the use of the several justices, *in which shall be fully explained every item of receipt and expenditure* which appears in the abstract; and, as it is desirable that the rate-payers should have the means of ascertaining how the county rates are disposed of," it was further ordered, "That a sufficient number of copies of the annual account be printed, in addition to those required by the magistrates, and that one copy should be sent to the overseers of each parish for the use of the vestry, and that they be distributed by the high constables of hundreds."

To obviate all difficulty regarding the examination of these accounts previous to their publication, it is recommended that the visiting justices (who are *ex officio* members of the finance committee) be requested and empowered to take charge thereof; and that the treasurer be required to furnish them with the annual account, ready for the printer, within fourteen days after the Michaelmas sessions in each year; and likewise that these accounts, when printed, be by them transmitted without delay to the bankers, duly directed to the churchwardens and overseers of every parish in the respective hundreds, to be given to the high constables at the time of payment of the rate for the ensuing Epiphany sessions. It was ordered that all bills be paid by the treasurer, those relating to the expenditure of the gaols being first audited and allowed by the visiting justices.

It was ordered, That, to enable the treasurer to make out the account according to the form, the clerk of the peace, the clerks of divisions, coroners, keepers of gaols, and others concerned, are required to send in their accounts in the prescribed form. It is also ordered that, in the form for the abstract of the treasurer's account, the different heads there specified under which money is usually received shall be retained in the account, although no money may be received under any particular head, by which the attention of the treasurer and the magistrates will be drawn to any deficiency in those receipts. It is ordered that the sum of fifty pounds be left in the hands of the keeper of Reading gaol, for the payment of small sums, by order of the visiting justices, during the quarter.

In the abstract of the treasurer's account, which is published quarterly, the committee have entered *the balance in hand*, which has been heretofore omitted, and have more fully detailed the different charges. Under the head of receipts they have entered some items which have not been previously noticed unless money has been actually received for them, and by the omission of which, in some instances, considerable sums which ought to have been paid on those accounts have been overlooked, and the money has not been received by the treasurer;—viz.,

	£	s.	d.
Government allowance for support of convicts	113	7	8
For the maintenance of soldiers confined by courts martial . .	45	11	0
Government allowance for bailiffs at special sessions . . .	33	0	0
	191	18	8

Of these sums a part only of that which is deficient has been now credited to the county, and appears in this account. The remaining deficiency under this head is for the Government allowance for support of convicts in the county gaol, and which, though paid by the Government, has not been paid to the treasurer by the respective under-sheriffs.

	£	s.	d.
1813	16	10	9
1818	17	8	0
1820	43	4	4
1820	7	4	0
1822	18	5	0
1823	7	19	0
1827	21	5	3
	131	16	4
*1833	18	15	6
	150	11	10

The account will be made out and printed according to the prescribed form in future.

Receipts.

No. 1.—Abstract.				Comparative Account, 1834.			
£	s.	d.		£	s.	d.
1,384	3	7	Balance brought down .	1,385	3	7
9,806	18	3	County rates . . .	9,806	18	3
713	13	8	Miscellaneous . .	566	9	11
11,904	15	6		11,758	11	9
			Discrepancy . . .	146	3	9
				11,904	15	6

No. 2.—Abstract.			Comparative Account.			
£	s.	d.		£	s.	d.
3,182	2	1	Balance in hand . .	3,333	2	8
151	0	7				
3,333	2	8				

Account of Fines received from Clerks of Divisions, Parish Officers, and others.—The clerks of divisions now make out quarterly returns of fines, signed by magistrates in petty sessions, previous to each quarter sessions. It would render this return more correct, if, in future, parish officers and others receiving fines made a return previous to each quarter sessions to the clerks of divisions, in order to enable them to transmit an authenticated return with their own.

Amount of Sums received for the Maintenance of Borough Prisoners before and after Conviction.—These bills are made out by the keepers of the gaols at Abingdon and Reading. The treasurer's account does not correspond with the account received from these gaols.

* Has not yet been received from the Treasury, but will be paid to the treasurer on receipt thereof.

	£	s.	d.
Reading gaol account for Reading and Windsor, 1834	154	8	9
Discrepancy	15	16	6
Treasurer's account	170	5	3
Abingdon gaol account for 1834	44	14	0
Discrepancy	6	17	0
Treasurer's account	51	11	0

Account of Money received for Support of Soldiers.

	£	s.	d.
Treasurer's account	89	11	6
This sum is wrongly charged in the treasurer's account; it was received for the support of two soldiers, Buckley and Hill, as per keeper's account	1	8	6
Reading gaol account	91	0	0

Receipts.—Account of Money taken from Prisoners.

Abstract. £	s.	d.		Reading Gaol Account. £	s.	d.
14	11	3				
1	8	6	for support of soldiers.	13	5	6
13	2	9				
0	2	9	Mary Clinch's child.			
13	5	6				

Miscellaneous Receipts.—The earnings at Abingdon gaol, inserted in the detailed account, are deducted from the total amount of the gaol bill. The corn-mill at Reading gaol, worked by means of tread-wheels, is now let to Mr. S. by contract, who provides his own miller, and is at every expense, except for repairs. The rent is regulated according to the number of prisoners employed. It will be at once seen that even with this arrangement but little profit accrues to the county. The receipts, as are shown by the annexed account, amounted to £37 6*s.* 6*d.*, and the repairs to £33 7*s.* 2*d.*, leaving a small net balance in favour of the county of £3 19*s.* 4*d.* Formerly the miller was paid by a yearly salary of £54 12*s.*; his returns were not adequate to the payment of this sum; the loss including repairs was proportionate.

Payments.—Repairs.

Abstract.	£	s.	d.		Reading Gaol Account. £	s.	d.
Reading	120	13	2		147	12	8
Discrepancy	60	6	8	Mill	33	7	2
	180	19	10		180	19	10

Payments.—New Works.

Abstract.	£	s.	d.	Reading Gaol Account. £	s.	d.
Reading	989	4	5	*444	12	10¾

Maintenance of Prisoners.

Abstract.—Reading.

	£	s.	d.		£	s.	d.
Diet	733	5	6	Treasurer's detailed account	1,079	18	7
Sick	9	15	8				
Clothing	210	17	9				
Fuel	124	18	8				
	1,078	17	7	Reading gaol account	1,097	6	4½

Maintenance of Prisoners at Newbury.

Abstract.	£	s.	d.	The Keeper's Account.	£	s.	d.
Diet	80	7	2	†County prisoners	22	4	7
Miscellaneous	20	0	0	†Borough ditto	16	18	11
Gaoler	3	3	0	Total for maintenance	39	3	6
				Repairs	2	0	0
				Conveyance	36	17	0
				Gaol fees	2	6	8
				Gaoler	3	3	0
					83	10	2
				Discrepancy‡	20	0	0
	103	10	2		103	10	2

At the Epiphany sessions, 1835, (see Dietary at the end of the book,) the allowances of food regulated thereby were—For No. 1, 1*s.* 3¾*d.*; No. 2, 1*s.* 6¾*d.*; No. 3, 1*s.* 3½*d.* per head per week.

The rules and regulations for the prisons of this county being now under revision, the following rule is submitted to the consideration of the magistrates:—

With a view to shortening the duration of imprisonment, all prisoners in the house of correction, whose sentences shall not exceed one month, shall have the allowance of bread and water only, and shall work for two hours in each day; and for the remainder of the twenty-four hours shall be confined in their cells: and the same treatment shall be observed towards all prisoners in the house of correction, whatever the terms of their sentence may be, for the last month of their confinement, &c. &c.—*Oxfordshire Prison Rules*, 1834.

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* This sum was likewise furnished by the treasurer.—See note appended to the Comparative Account of the Expenditure and Receipts of Reading Gaol, folio 4, at the end of the book.

† The charges in these accounts are 5*d.* per day for the subsistence of each prisoner during his confinement; but in the Rules and Regulations, page 83, under the head of Newbury Gaol, the sum specified to be charged is 3*d.* per day.

‡ Said to be a yearly salary to Gosling, constable of Newbury Bench.

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Amount of Payments for the Conveyance of Prisoners.—This account will enable magistrates to regulate the charges of constables. Printed receipts for constables bringing prisoners to gaol are there given to them, stating the date and condition in which the prisoner was received, signed by the keeper or an officer of the gaol. There is also a blank form attached to this receipt, to be filled up by the constable for his fee and expenses, which is to be approved and verified by the committing magistrate according to the form at foot, and will then become payable by the treasurer. The charges are as follow:—

	s.	d.	
To the constable	2	0	per day
Guard, if ordered by the committing justice	2	0	ditto
Ditto night or assistant	2	0	
Subsistence for the prisoner, not exceeding	0	6	per day
Ditto, per night	0	6	
For conveying one prisoner only, not exceeding	0	9	per mile
For two, for each not exceeding	0	6	ditto
For three, each not exceeding	0	4	ditto
And for each of any larger number, not exceeding	0	4	ditto

A very considerable expense is incurred by the county in paying the expenses of passes granted to prisoners discharged from gaols out of the county. It appears unreasonable that the county should be put to this expense. Relief, it is suggested, should be given at the gaols from whence prisoners are discharged. It is a well-ascertained fact that vagrants frequently commit small offences, in order to obtain passes from the gaols to which they are in consequence sent. Forged printed passes are also obtained, and made use of by them.

Conveyance of Prisoners.

Abstract.	£	s.	d.	Detailed Accounts.	£	s.	d.
Conveyance of prisoners { Abingdon	26	6	2	No detailed account is given.			
Conveyance of prisoners { Reading	166	3	8				
Conveyance of offenders to prison	300	2	5		277	3	2
Conveyance of convicts	94	11	0		94	11	0
Relief to discharged prisoners from other gaols passing through the county	20	7	7		20	7	7
	607	10	10	Relief by order of visiting justices, Reading	18	3	6
				Ditto, Abingdon	8	19	6
				Conveyance of prisoners for trial, Reading gaol account	71	12	8
					490	17	5
				Discrepancy	116	13	3
					607	10	8

Miscellaneous Expenses relating to Gaols.

	£	s.	d.
Abingdon gaol account	248	0	4
Discrepancy	8	19	6
Treasurer's account	256	19	10
Reading gaol account	84	6	1½
Discrepancy	35	19	4½
Treasurer's account	120	5	6

Keeper's account of Newbury gaol does not mention any charge under this head.

Treasurer's account	20	0	0

Salaries to Officers.

	£	s.	d.
Abstract.—Treasurer's account for turnkeys	274	18	9
Discrepancy	9	5	3
Reading gaol account	284	4	0

Clerk of the Peace.

	£	s.	d.
His common bills	630	6	2
Extra ditto	83	9	11
Total	713	16	1
Discrepancy	79	18	10
Treasurer's account of these bills	793	14	11

The letters in this explanation refer to the account.
A—This is for drawing out and entering orders relative thereto, and for making fair copies.
B—The like.
C—Trial of prisoners and orders thereon, at 13*s.* 4*d.* each.
D—Orders for transportation of prisoners, at 13*s.* 6*d.* each.
E—Orders for conviction of prisoners, at 5*s.* each.
F—Orders for discharging the recognizances of witnesses, at 4*s.* 6*d.* each.
G—Orders for filing recognizances for breaches of the peace, at 5*s.* each.
H—The sum of £43 9*s.* is charged for returns made by order of Government.

Your committee have experienced considerable difficulty in obtaining this account, but they have persevered, and are now enabled to submit it to the inspection of the magistrates and rate-payers. It has been their endeavour to render it as exact as possible, by a comparison of the accounts received from the treasurer with those obtained from other sources; and where they have been unable to rectify the discrepancies, they have pointed them out. This being a first essay in publishing an annual detailed account for this county, the treasurer may have experienced some impediment in making out accountsas now required.

Your committee have every reason to expect, from the county accounts being kept and printed according to the prescribed form for the future, that it will introduce regularity and uniformity of system, cause great accuracy, facilitate their examination, be of material assistance to the treasurer, convey much useful information, increase the receipts, and diminish the expenditure of the county.

J. J. BULKELEY, Chairman.

COUNTY OF BERKS.—ABSTRACT OF THE TREASURER'S ACCOUNT FROM MICHAELMAS 1833 TO MICHAELMAS 1834.

RECEIPTS.	£.	s.	d.	£.	s.	d.
By balance of last account				1,384	3	7
By amount of county rates received from high constables of hundreds				9,806	18	3
By fines on summary convictions:—						
From the clerk of the Abingdon division	20	2	6			
Faringdon division	7	0	0			
Reading ditto	43	19	0			
Wantage ditto	2	12	6			
Newbury ditto	19	3	0			
Wallingford ditto	3	10	0			
Forest ditto	19	12	6			
Maidenhead ditto	34	11	0			
Windsor ditto	3	12	0			
				154	2	6
From parish officers, gaolers, and others				3	8	0
For the maintenance of borough prisoners before and after conviction:—						
From Abingdon	51	11	0			
,, Reading, ,, Windsor	170	5	3			
				221	16	3
From various under-sheriffs, the Government allowance for the support of convicts				146	7	8
Money taken from prisoners, and applied towards the expenses of their conveyance and support in gaol				14	11	3
For the maintenance of soldiers confined by sentence of court-martial				89	11	6
Rent of dormitory at Thatcham				7	10	0
Miscellaneous receipts				76	6	6
Total received				11,904	15	6

PAYMENTS.	ABINGDON. £.	s.	d.	READING. £.	s.	d.	NEWBURY. £.	s.	d.	TOTAL. £.	s.	d.
Repairs	204	5	9	120	13	2						
New works	74	3	0	989	4	5						
Stock, fixtures, and furniture												
Diet of prisoners	285	14	2	733	5	6	80	7	2			
Extras for sick prisoners	25	18	0	9	15	8						
Clothing	95	9	8	210	17	9						
Fuel	72	13	2	124	18	8						
Conveyance of prisoners	26	6	2	166	3	8						
Miscellaneous, relating to the gaols	256	19	10	120	5	6	20	0	0			
Salaries:—												
Gaoler	120	0	0	200	0	0	3	3	0			
Matron	35	0	0	46	13	3						
Turnkeys	135	9	0	274	18	9						
Chaplain	80	0	0	200	0	0						
Surgeon	35	0	0	70	0	0						
	1,446	18	9	3,266	16	4	103	10	2	4,817	5	3
Clerk of the peace—ordinary bill										593	12	3
Ditto extraordinary bill										200	2	8
Treasurer—salary										200	0	0
County surveyor—salary and charges										6	16	6
Conveyance of offenders to prison										300	2	5
Ditto of ditto for trial												
Conveyance of convicts										94	11	0
Relief to discharged prisoners										20	7	7
Bailiffs of hundreds										42	0	0
Coroners										127	12	4
Printing and advertisements										137	0	9
Prosecution of prisoners at the sessions										841	9	7
Ditto at the assizes										838	2	7
Repair of bridges										119	6	8
Interest paid on money borrowed										151	18	0
Treasurer, of suing for prisoners in the King's Bench and Marshalsea										10	0	0
Chamberlain of London for prisoners in the Fleet Prison										40	0	0
Miscellaneous payments										182	5	10
Balance in the hands of the treasurer										3,182	2	1
Total										11,904	15	6

BERKS.—*Account of the County Rate, being a List of Hundreds, Parishes, and Places, with the Names of the High Constables, and Amount of County Rates collected from each Parish and Place respectively, and paid to the Treasurer during each Quarter on Account of Warrants granted by Order of Court at each preceding Quarter Sessions, as follows:—*

	£.	s.	d.
Warrants granted at Michaelmas, 1833, for 24 qrs. paid at Epiphany	2,801	19	6
Ditto . ditto . Epiphany . 1834, for 20 qrs. ditto Easter	2,334	19	7
Ditto . ditto . Easter . 1834, for 20 qrs. ditto Midsummer	2,334	19	7
Ditto . ditto . Midsummer, 1834, for 20 qrs. ditto Michaelmas	2,334	19	7
Eighty-four quarters, and total amount of rate for the year	9,806	18	3

BEYNHURST.

Frederick Coe, of Bisham, Farmer.
William Hubbard, of White Waltham, Shopkeeper.

Parishes and Places.	Valuation of each Parish. £.	s.	d.	Twenty-four Quarters, ordered at Michaelmas, 1833, and received at Epiphany, 1834. £.	s.	d.	Twenty Quarters, ordered at Epiphany and received at Easter, 1834. £.	s.	d.	Twenty Quarters, ordered at Easter and received at Midsummer, 1834. £.	s.	d.	Twenty Quarters, ordered at Midsummer and received at Michaelmas, 1834. £.	s.	d.	Total. £.	s.	d.
Bisham	776	0	0	19	8	0	16	3	4	16	3	4	16	3	4	67	18	0
Hurley	1,547	0	0	38	13	6	32	4	7	32	4	7	32	4	7	135	7	3
Remenham	540	0	0	13	10	0	11	5	0	11	5	0	11	5	0	47	5	0
Shottesbrook	252	0	0	6	6	0	5	5	0	5	5	0	5	5	0	22	1	0
White Waltham	959	0	0	23	19	6	19	19	7	19	19	7	19	19	7	83	18	3
Yearly total of the hundred																356	9	6

BRAY. (*Return in a similar form.*)

Communications respecting Treasurer and Accounts, general Management, &c.

Abstract of Receipts for County Rate.

No. of Parishes.	Hundreds.	£.	s.	d.
6	Beynhurst	356	9	6
1	Bray	274	18	6
4	Charlton	142	12	6
6	Compton	241	11	9
3	Cookham	375	16	3
23	Faircross	1,295	12	3
10	Faringdon	326	18	0
9	Canfield	432	8	6
26	Hormer	420	15	9
20	Kintbury Eagle	721	1	9
7	Lamborne	259	3	6
21	Moreton	699	0	9
19	Ock	707	7	0
14	Reading	674	14	3
4	Ripplesmere	289	0	3
16	Shrivenham	741	6	0
7	Sonning	316	1	0
13	Theale	558	13	9
13	Wantage	692	0	9
4	Wargrave	281	6	3
226	Total	9,806	18	3

1834.—*Fines received upon summary Convictions.*

ABINGDON DIVISION.

Epiphany.

	£.	s.	d.
William White	1	5	0, &c.

Amount of Sums received for the Maintenance of Borough Prisoners before and after Conviction.

ABINGDON.

	£.	s.	d.
From October 16 to December 31, 1833	12	0	3½
From January 1 to April 8, 1834	12	7	0
From April 9 to July 1, 1834	8	15	7
From July 2 to October 14, 1834	11	11	1½
	44	14	0

READING.

		£.	s.	d.
1833.—Dec. 31,	Nineteen prisoners	23	3	3
1834.—April 8,	Twenty-seven ditto	30	7	6
July 1,	Nineteen ditto	12	1	9
Oct. 14,	Nineteen ditto	14	13	6
		80	6	0

THOMAS BEALL, Keeper, pro tem.

WINDSOR.

		£.	s.	d.
1833.—Dec. 31,	Seven prisoners	13	9	0
1834.—April 8,	Eleven ditto	16	9	3
July 1,	Fourteen ditto	24	17	9
Oct. 14,	Fourteen ditto	19	6	9
		74	2	9

THOMAS BEALL, Keeper, pro tem.

ABINGDON.

		£.	s.	d.
Midsummer, 1833	Amount	18	8	2
Michaelmas		12	0	3
Epiphany, 1834		12	7	0
Easter		8	15	7
		51	11	0

READING.

	£.	s.	d.
Arrear to Epiphany, 1833	77	3	6
Easter	27	13	6
Midsummer	28	6	3
Michaelmas	37	2	0
	170	5	3

To Michaelmas, 1834, inclusive.

Copy of Return made to Sheriff of the Government Allowance for the Maintenance of Convicts in the County Gaol at Reading.

Bill of Cravings of J. Smith, Esq., from Michaelmas 1832, to Michaelmas 1833.

	£.	s.	d.
For diet of 19 assize convicts, from date of conviction to date of removal	8	15	6

N. B. Not yet received.

Received from the Under-Sheriffs under this head:—

	£.	s.	d.
1814	31	3	9
1821	13	2	0
1830	45	6	7
Ditto Special Commission	33	0	0
1832	23	15	4
	146	7	8

Account of Money received for the Support of Soldiers confined under Sentence of Courts Martial.

Date.	Name.	Regiment.	No. of Days.	£.	s.	d.
1833.—Dec. 31,	James Buckley,	Royal Horse Guards, Blues	29	0	14	6
	Joseph Hill	ditto ditto	28	0	14	0
1834.—April 8,	Robert Austin,	third battalion Grenadier Guards	18	0	9	0, &c. &c.

THOMAS BEALL, Keeper, pro tem.

Account of Money taken from Prisoners, and applied towards the Expense of their Conveyance to and Support in Gaol.

	Name.	Sum taken. £.	s.	d.	How applied.
1833.—Dec. 31,	Robert Womack	2	5	6	Taken from treasurer's bill, Epiphany sessions 1833, for their support in prison.
	John Osby	2	5	6	
	William Day	2	5	6	
	Thomas Matthews	2	5	6	
	Cash for sugar for illegitimate children	0	5	0	
April 8,	William Jones	3	18	6	Ditto, April 8, 1834.
		13	5	6	

THOMAS BEALL, Keeper, pro tem.

N.B. The first four prisoners were also charged with others for their conveyance from Ascot Races by the London police, under the direction of Sir F. Roe, Knight.

Miscellaneous Receipts.

READING GAOL.

	£.	s.	d.	
1833:—Dec. 31, Grinding and dressing corn . .	13	7	6,	&c. &c.

Account of Bills paid for Repairs and New Works at Abingdon, Newbury, and Reading.

ABINGDON.—A. 1.

Repairs, 1834.	£.	s.	d.
From Oct. 16 to Dec. 31 . . .	43	1	2½

NEWBURY.

	£.	s.	d.
A.R.—Easter. Repairing and whitewashing the gaol, by order of magistrates .	2	0	0

READING.—D.

	£.	s.	d.
Carpenter	21	5	7¼
Bricklayer	43	9	1
Plumber	8	15	3
Glazier and painter	11	12	10½
Locksmith	10	3	1
Ironfounder	33	4	9½
Mason	4	0	4½
Materials for repairs	10	18	1½
Prisoner for painting . . .	0	15	0
Cooper	3	8	6
	147	12	8¼

Maintenance of Prisoners at Abingdon.

	£.	s.	d.
Tradesmen's quarterly bills for bread, meat, oatmeal, vegetables, &c.	74	4	8
Ditto for extras for sick prisoners . . .	7	6	6
Ditto for articles of clothing	38	16	2
Ditto for coals	28	1	0

Maintenance of Prisoners at Reading.

		£.	s.	d.
Epiphany.	Tradesmen's quarterly bills for bread, meat, oatmeal, vegetables, &c. .	182	11	3½
	Ditto for extras for sick prisoners .	7	16	0
	Ditto for articles of clothing . .	66	10	7
	Ditto for fuel, soap, candles, &c. .	25	14	6

Maintenance of County Prisoners at Newbury, from Michaelmas 1833, *to Michaelmas* 1834.

Epiphany.	No. of Days.	s.	d.
John Broughton . . .	6 at 5*d.* . . .	2	6

Maintenance of Borough Prisoners at Newbury from Michaelmas 1833, *to Michaelmas* 1834.

Epiphany.	No. of Days.	s.	d.
Charles Tenant . . .	6 at 5*d.* . . .	2	6

Maintenance of Prisoners at Newbury.

SUMMARY.

		£.	s.	d.	£.	s.	d.
Borough prisoners.—	Epiphany	12	14	9			
	Easter	20	15	3			
	Midsummer	13	13	7			
	Michaelmas	10	19	0			
					58	2	7
County prisoners.—	Epiphany	6	4	2			
	Easter	10	2	1			
	Midsummer	3	0	0			
	Michaelmas	2	18	0			
					22	4	3
					80	6	10

Amount of Payments for the Conveyance of Offenders to Prison.

Date.	Name of Constable.	Parish or Place.	Name of Offender.	No. of Miles.	£.	s.	d.
1834.	Thomas Bond	Farnham . .	C. Hibbard . .	14	0	14	6
Epiphany.	W. Gosling .	Shrivenham .	W. Goslin . . .	19	0	17	3

Conveyance of Prisoners from the Borough of Newbury to the Gaol, Reading.

Date.	Name of Constable.	Parish or Place.	Name of Offender.	No. of Miles.	£.	s.	d.
Epiphany.	Thos. Samuels	Newbury . .	Thos. Crocker . . John Long . . . Thomas Smithey . Robert Gale . .	18	1	11	6

Summary for Conveyance of Newbury Borough Prisoners.

	£.	s.	d.
Epiphany	7	4	6
Easter	12	8	6
Midsummer	9	8	0
Michaelmas	7	16	0
	36	17	0

Communications respecting Treasurer and Accounts, general Management, &c.

Gaol Fee for the Borough of Newbury Prisoners tried at the Borough Sessions.

			£.	s.	d.
Epiphany	Thomas Crocker, 6s. 8d. &c. &c.			6	8

SUMMARY.

	£.	s.	d.
*Diet of prisoners	16	18	11
Conveyance to gaol	36	17	0
Gaol fee for borough sessions	2	6	8
Repairs	2	0	0
	58	2	7

Conveyance of Prisoners for Trial.

1834.		£.	d.
Epiphany	Conveyance of — prisoners to Michaelmas sessions, 1833, holden at Abingdon	17	0 0
Easter	Five guards at the Epiphany sessions, holden at Reading	2	10 0
Ditto	Conveyance of prisoners to the hall, and six guards at the Lent assizes	5	2 6
Midsummer	Conveying prisoners to the sessions at Newbury, and four guards	20	3 4
Michaelmas	Conveying 21 prisoners to the Midsummer sessions at Abingdon, and three guards	16	9 8
Ditto	Conveying 12 prisoners to the assizes at Abingdon, and guards	10	7 2
		71	12 8

THOMAS BEALL, Keeper, pro tem.

Conveyance of Convicts.

1833.		£.	s.	d.
Nov. 7th	Ten convicts to Woolwich	19	1	6
1834.				
Jan. 20th	Nine ditto to ditto	17	18	6
March 24th	Ten ditto to ditto	17	19	0
April 29th	Eleven ditto to Gosport	17	6	10
July 18th	Ten ditto to Woolwich	16	5	2
Sept. 18th	Three ditto to ditto	6	0	0
		94	11	0

THOMAS BEALL, Keeper, pro tem.

AN ABSTRACT OF THE CLERK OF THE PEACE'S COMMON BILLS.

	Epiphany Sessions, 1834.			Easter Sessions, 1834.			Midsummer Sessions, 1834.			Michaelmas Sessions, 1834.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
A. Reading gaol	25	0	4	17	5	0	8	0	0	33	19	0
										8	8	6
B. Abingdon gaol	3	0	4	3	14	4	4	13	4	7	0	4
Irish and Scotch vagrants	4	19	0	.	.		.	.		.	.	
Sessions at Windsor	0	10	0	0	5	0	.	.		.	.	
Committee of accounts and treasurer	2	2	8	2	3	0	1	12	0	1	12	0
Bridges	3	19	4	2	17	4	3	12	4	1	5	0
C. Prisoners trying	23	8	8	20	0	0	14	13	4	20	0	0
Newbury memorial	.	.		.	.		.	.		3	3	4
Discharge of prisoners	1	5	0	2	10	0	3	10	0	3	15	0
Calendars—Secretary of State	1	13	6	1	13	6	1	13	6	1	13	6
Register of places of religious worship	0	12	0	.	.		.	.		.	.	
D. Transport orders	4	14	6	3	7	6	2	14	0	4	1	0
E. Convictions recorded	31	5	0	34	10	0	17	10	0	30	10	0
F. Recognizances discharged	17	11	0	16	17	6	13	14	6	17	15	6
Gaol money	8	3	4	8	3	4	8	3	4	8	3	4
Jury panels	1	5	0	1	5	0	1	5	0	1	5	0
Estreats	3	15	4	3	15	4	3	15	4	3	15	4
Yearly estreats	.	.		.	.		.	.		6	17	4
Bailiffs	0	10	0	0	10	0	0	10	0	0	10	0
Adjourned sessions	.	.		.	.		.	.		5	14	0
Special sessions, insolvents	.	.		.	.		.	.		2	2	0
Soldiers' baggage	1	15	0	1	15	0	1	15	0	1	15	0
Lunatic returns	.	.		.	.		5	8	0	2	2	0
Orders under no particular heads	1	10	0	5	0	7	4	5	6	3	10	0
Altering divisions	.	.		3	0	0	3	13	8	3	7	0
Coroners' inquisitions	1	7	0	1	18	0	1	13	0	1	7	0
Weights and measures	.	.		.	.		.	.		3	1	4
Lists of high constables and bailiffs	2	4	6	2	4	6	2	4	6	2	4	6
Transfer of alehouse licences	.	.		.	.		.	.		2	5	0
Sessions' processes	3	11	0	3	11	0	3	11	0	3	11	0
Jury lists and jury books	.	.		8	16	0	.	.		15	6	11
Sessions' notices	2	1	0	1	12	6	2	6	2	3	15	10
Insurance of county gaol	.	.		3	13	9	.	.		.	.	
Postage of letters, carriage of parcels and county boxes, printing chairman's books	3	1	10	5	17	6	3	5	8	7	10	3
	149	5	4	156	5	8	113	9	2	211	6	0

* N.B. The sum of £2. 5*s.* 7*d.* for washing, bedding, straw, and cleaning the prison, is included in the £16. 18*s.* 11*d.* charged for diet; therefore the sum charged for maintenance of Newbury Borough prisoners is £14. 13*s.* 4*d.*

Communications respecting Treasurer and Accounts, general Management, &c.

'An Abstract of the Clerk of the Peace's extra Bills.

	Epiphany Sessions, 1834.	Easter Sessions, 1834.	Midsummer Sessions, 1834.	Michaelmas Sessions, 1834.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Reading gaol orders	1 2 0	. .	. .	. .
Registering turnpike trusts	7 19 11	3 11 0	. .	. .
Discharging bridge presentments, and bridges	2 8 2	. .	. .	2 2 2
Copy proceedings relating to Folly Bridge, for committee	. .	4 8 8	. .	. .
Insertion of deputy-lieutenants and yeomanry in the "Gazette"	1 6 0	. .	2 8 8	. .
Appointment of Poor-Law Commissioners and assistants	. .	. .	. .	4 2 8
Special sessions—discharge of insolvent debtors	. .	2 2 0	. .	. .
H. Returns to the Secretary of State, Treasury, and public offices, of the number of electors; prisoners tried for offences heretofore capital; alterations of divisions of county; county rates and expenses; prisoners prosecuted for political libels; assize of bread; building and repairing county bridges; expenses of prosecution of prisoners, and before conviction; abstracts of all turnpike trusts, and a variety of other returns	22 6 6	20 5 10	0 6 8	0 10 0
Copies of county rates, and for the committee	. .	. .	. .	8 9 8
	35 2 7	30 7 6	2 15 4	15 4 6

Common Bills.

Totals.	£. s. d.
Epiphany	174 12 1
Easter	149 5 4
Midsummer	156 5 8
Michaelmas	113 9 2
	593 12 3

Extra Bills.

Totals.	£. s. d.	£. s. d.
Epiphany	£24 11 8	
	107 5 7	131 17 3
Easter		35 2 7
Midsummer		30 7 6
Michaelmas		2 15 4
		200 2 8

County Surveyor—Salary and Charges.

	£. s. d.
T. Treacher, one year's salary	5 5 0
Ditto, surveying Toutly Bridge	1 11 6
	6 16 6

Coroner's Allowance.

Fee—twenty shillings and ninepence per mile to take an inquisition.

Summary.

		£. s. d.
Edward Cowcher	Epiphany	5 6 3

Printing and Advertising.

Messrs. Cowslade and Co.

1834.	Epiphany Quarter.	£. s. d.
	Advertising sessions	1 16 0

Prosecution of Prisoners at the Sessions.

Date.	Name of Prosecutor.	Name of Offender.	Nature of Offence.	From where committed.	Amt. paid. £. s. d.
Epiphany.	T. Bartlett	W. Dansden	Felony	Hanney	3 7 0
	J. Selwood	T. Wilmot	Ditto	Wasing	2 1 6
	S. Page	T. Beechey	Ditto	Faringdon	4 14 6
	Ditto	Ditto	Ditto	Ditto	13 10 0

Prosecution of Prisoners at the Assizes.

Date.	Name of Prosecutor.	Name of Offender.	Nature of Offence.	From where committed.	Amt. Paid. £. s. d.
Epiphany.	T. Chamberlin	W. Jones	Felony		21 10 10

Repair of Bridges.

	£. s. d.
Datchet	2 5 2
Lamborne	20 0 0
Aldermaston	6 19 0
Gallows Lane	64 7 6
Toutley	25 15 0
	119 6 8

Interest paid on Money borrowed.

	£. s. d.
To Mr. May, half a year's interest, at 4½ per cent., on the sum of £1,486. 12*s.* 6*d.*	66 18 0
Miss Shermer, ditto, on £2,000, at 4½	85 0 0
	151 18 0
Treasurer of Surrey for prisoners in the King's Bench	10 0 0
Chamberlain of London for prisoners in the Fleet, four years	40 0 0

N. B. These sums are paid annually, as enacted by statute.

Communications respecting Treasurer and Accounts, general Management, &c.

Miscellaneous Payments.	£.	s.	d.
W. Tagg, for treasurer's book	4	2	0
J. Readings, for four quarters' attendance on Reading petty sessions	10	0	0
Insolvent Debtors' Court, fires, &c.	7	2	0
Vagrants and outstanding accounts previous to the operation of the Act	41	8	10
Hall-Keepers.			
W. Golding, Reading £15 9 0			
R. Hester, Newbury 1 1 0			
G. Bailey, ditto 0 10 0			
	17	0	0
Clerk of Assize	35	16	2
Marshal and crier	32	16	10
Maintenance of a pauper lunatic at Lainston House, name unknown	34	0	0
	182	5	10

Comparative Statement of Receipts and Disbursements for the following Years, ending at Michaelmas 1834, inclusive.

Date.		County Rate.	Miscellanies.	Totals.
		£. s. d.	£. s. d.	£. s. d.
1831.	RECEIPTS.			
Epiphany		2,089 9 10		
Easter		2,101 9 4	193 19 10	
Midsummer		2,101 9 4	46 8 2	
Michaelmas		2,101 9 4	0 16 9	
				8,650 14 10
	Balance due to the treasurer			1,368 3 4
				10,018 17 2
	PAYMENTS.			
Epiphany		2,820 3 8		
Easter		2,511 12 7		
Midsummer		2,547 3 7		
Michaelmas		2,371 14 11		
	Balance due to treasurer, brought from 1830	241 0 6		
				10,491 15 3
	Whereof related to the Special Commission			472 18 1
				10,018 17 2
1832.	RECEIPTS.			
Epiphany		2,801 19 6	12 0 0	
Easter		2,801 19 6	7 10 3	
Midsummer		2,801 19 6	124 1 8	
Michaelmas		2,801 19 6	28 15 4	
		11,207 18 0	172 7 3	
				11,380 5 3
	PAYMENTS.			
	Balance due to treasurer at the end of 1831, brought down	1,368 3 4		
	One quarter's interest thereon	17 1 0		
Epiphany		2,186 2 9		
Easter		1,942 1 2		
Midsummer		2,840 17 11		
Michaelmas		2,608 10 11		
				10,962 17 1
	Balance in treasurer's hands			417 8 2
				11,380 5 3
1833.	RECEIPTS.			
	Balance in hands of treasurer at the end of 1832, brought down	417 8 2		
Epiphany		2,801 19 6	6 17 6	
Easter		2,801 19 6	14 12 9	
Midsummer		2,801 19 6	81 18 2	
Michaelmas		2,801 19 6	1,205 3 0	
				12,933 17 7
	PAYMENTS.			
Epiphany		2,494 7 6		
Easter		2,114 5 1		
Midsummer		3,865 9 2		
Michaelmas		3,074 12 3		
				11,548 14 0
	Balance in the treasurer's hands			1,385 3 7
				12,933 17 7
1834.	RECEIPTS.			
	Balance brought down	1,385 3 7		
Epiphany		2,801 19 6	210 2 5	
Easter		2,334 19 7	51 14 6	
Midsummer		2,334 19 7	287 15 2	
Michaelmas		2,334 19 7	16 18 0	
				11,758 11 9
	PAYMENTS.			
Epiphany		2,636 16 4		
Easter		2,389 4 2		
Midsummer		1,976 13 8		
Michaelmas		1,422 14 11		
				8,425 9 1
	Balance in the hands of the treasurer at the end of the year 1834			3,333 2 8
				11,758 11 9

William Payn, Treasurer of Berks.

Communications respecting Treasurer and Accounts, general Management, &c.

No. 4.—Report of Committee at Abingdon on the 30th June 1835, and Proceedings thereon.

No. 4.—Ordered that the following Report, which was read by Mr. Bulkeley, be filed and entered on the minutes of this Session.

(Copy—Report.)

To the Magistrates assembled at the Quarter Sessions to be holden at Abingdon, on Tuesday, the 30th June 1835.

Your committee have endeavoured, with great pains, to carry into effect the order made at the Michaelmas sessions of last year, for the preparation of a detailed account of the annual receipt and expenditure of the county.

For the prosecution of that attempt the account has already been printed three times over.

We first drew up a skeleton account, in which the various entries were arranged in their proper order, and the sums only were left to be inserted by the treasurer. But the account, though completed and signed by the treasurer, was found to be so imperfect and inaccurate in its details, that it became necessary to prepare a second, which also was sent, like the former, to the treasurer, to be examined and filled up by him. We endeavoured to render it as correct as possible by comparing the information received from the treasurer with that obtained from other sources. These we were unable to verify: the discrepancies we pointed out, and in that state we resolved to produce it at the Easter sessions. But at Newbury we saw the treasurer, and had a communication with him, which induced us to suspend our purpose. The treasurer stated that the cause of the discrepancies was, that he had endeavoured to make his account tally with the details furnished to him, and that those details must be incorrect. He was, therefore, called upon for an account which should correspond with his own books; and, by his desire, the preparation of this third account was left entirely to him. But although it has been drawn up by the treasurer, and printed under his own direction, it is still defective and inaccurate; and we produce it now only for the purpose of showing how fit it is, in its present state, to be sent forth to the county as a document to be relied upon.

These three accounts, though they are all signed by the treasurer, do not agree either with one another, or with the quarterly accounts already published under the same signature.

To point out only one instance, the balance in the hands of the treasurer, at Michaelmas 1834, is stated by him, in the first account, at £3,115. 17*s.* 6*d.*; in the second account, he states it in one place, page 15, at £3,182. 2*s.* 1*d.*; and in another page, 64, at £3,333. 2*s.* 8*d.*; and again, in the third account, he states it to be £3,305. 13*s.* 3*d.* These discrepancies we cannot reconcile or explain ourselves, and we have been unable to obtain any explanation of them from the treasurer.

In September 1834 the treasurer once met your committee, by appointment, at Reading; and, as we have already mentioned, we saw him at the Easter sessions at Newbury; but although we have since had occasion to make several applications to him to that effect, we have been unable to procure his personal attendance, or any information to assist us. We do not desire to make any observations on this subject at present; our only wish is to fulfil the duty confided to us, to establish a form of account containing a clear and accurate statement of the way in which the money of the county is expended; and we beg to suggest, as the readiest method of accomplishing that purpose, that an order be made upon the treasurer, directing him to attend your committee, with his books and papers, whenever he may be required by us to do so, and to supply us with all such information as we may find it necessary to call for.

(Signed) J. J. Bulkeley, Chairman, M. H. Court,
Moris Ximenes, Robert Harris,
H. Russell, H. W. Rooke.
James Hayward,

Moved, that the balance remaining in the hands of Mr. Payn, at the 1st January 1834, as stated in the account audited by Messrs. Dundas, Hayward, Gardner, and Morland, amounting to £1,384. 3*s.* 7*d.*, be the balance which Mr. Payn is to account for in the new annual account now to be published.

Moved, that all the words after the words "Moved that the" be omitted, and that the following be substituted; viz. "Balance of £1,384. 3*s.* 7*d.*, due by Mr. Payn, 1st January 1834, is not sufficiently authenticated with reference to balances of former quarters or years, as published for the information of the county," to be the foundation of a new account.

The first, or original motion, was then carried.

Resolved, that in consequence of the resolution for adoption of the balance therein stated, that it is unnecessary to proceed according to the recommendation of the committee, and that the committee having requested to be dissolved, that its functions do cease.

No. 5.—Account of Fines from 1827 to 1834.

Account of Fines received from Clerks of Divisions, *Parish* Officers, and others, taken from the Quarterly recorded Accounts, commencing from Michaelmas 1827.

	£.	s.	d.		£.	s.	d.
1828	5	9	0	1832	28	16	0
1829	22	8	0	1833	98	4	9
1830	8	18	0	1834	143	1	6
1831	23	12	4				

*

Gaols.

No. 6.—Newbury Gaol.

Though the rules and regulations for this gaol specify that the sum to be charged is 3*d.* per day for the subsistence of each prisoner during confinement, yet, by the account, it will be seen that 5*d.* a-day has been the charge made and received, being at the rate of 2*s.* 11*d.* per week per head for idle prisoners.

Whereas the subsistence of the same class of prisoners in the county gaol amounts to 1*s.* 2*d.* per week, as per last Midsummer quarter return.

At the last sessions holden at Newbury it was resolved that the county gaol diet, No. 3, should be adopted in this gaol for the future.

No. 7. Maidenhead Gaol.

The charge at this gaol is 1*s.* for straw, and 1*s.* per day for subsistence of each prisoner. Those for a week are charged 7*s.*, and for longer periods the charge is also 1*s.* per day: one prisoner being charged for 52 days £2. 12*s.*

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* Account of fines ordered to be published in the county newspapers.

Communications respecting Treasurer and Accounts, general Management, &c.

No. 8. Notice was given that it would be moved at the next sessions—

That all accounts of receipts that should be credited to the county rates, as fines and monies taken from prisoners, and all charges for which the county rates are liable of the gaols at Newbury and Maidenhead, be made out in detail under their respective heads according to the prescribed form, and transmitted with the several vouchers to the keeper of the county gaol at Reading, days previous to each quarter sessions; in order that the said keeper may examine and place them before the visiting justices, to be examined and audited by them, and to receive their signature, and order for payment on the treasurer.

J. J. B.

No. 9.—Notice of Motion relative to Constables in Attendance at Petty Sessions, and Observations thereon.

No. 9. Notice was also given—

That the several constables in attendance at the regular petty sessions of the several divisions of the county be paid out of the county rates, and that the salary be proportioned to the number of such sessions holden throughout the year, but in no case to exceed the sum of ten pounds.

J. J. B.

The magistrates (with two exceptions, I believe, Reading and Newbury,) not only pay the salary of the constable out of their own pockets, but likewise the charge for the use of the room and fire where the petty sessions are held, frequently at an inn.

The magistrates of this division were induced, some time since, to make application to the alderman of Wokingham for the use of the Town Hall for the above purpose, but were refused on the plea of expense the corporation would be put to for repairs.

The magistrates undertook to pay for any damages they might occasion.

It was then alleged that it would interfere with their privileges.

He was informed that the mayor and corporation of Reading afforded every facility to the county magistrates, and not only gave the use of their Council Chamber, but of the Town Hall also.

The alderman replied that they had held a council, and determined not to give the magistrates the use of their hall.

I mention the foregoing circumstances to show that magistrates ought not to be put to private costs of this kind, in performing the public duties; it is enough if they give their time; and it is always of advantage to the place where the sessions are held, by the charges for servants, horses, &c.

Neither do I consider it compatible with a becoming administration of justice that they should be obliged to hold their petty sessions at inns, where the witnesses and prisoners, who are kept in long attendance, are sometimes apt to be led into drinking.

No. 10.—Prosecution of Offenders at Assizes and Sessions.

Prosecutions of Offenders from Michaelmas 1827.

At Assizes.					At Sessions.				
Year.	No.	£.	s.	d.	Year.	No.	£.	s.	d.
1828	47	791	8	3	1828	83	392	6	10
1829	35	571	12	1	1829	98	569	11	10
1830	57	785	3	1	1830	106	445	14	5
1831	42	861	5	1	1831	71	391	17	9
1832	44	762	17	11	1832	* 0	144	1	5
						* 11	50	11	4
						0	150	18	7
						23	153	18	8
1833	32	671	11	3	1833	15	652	1	1
1834	41	838	7	5	1834	123	859	4	6

N.B. This return is taken from the recorded accounts.

J. T. B.

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* No number stated.

FIRST QUARTER'S EXPENDITURE of the Gaol and House of Correction at READING, 1836.

OFFICERS AND SALARIES.	£.	s.	d.	£.	s.	d.
No. 1. Keeper	62	10	0			
2. Chaplain	50	0	0			
3. Surgeon	17	10	0			
4. Deputy keeper, at 65*l.* per annum.	16	5	0			
5. Turnkey, storekeeper, &c., at 1*l.* per week	11	0	0			
6. Turnkey, No. 1., at 17*s.* ditto	9	7	0			
7. Turnkey, No. 2. at 16*s.* ditto	8	16	0			
8. Turnkey, No. 3, at 15*s.* ditto	8	5	0			
9. Matron, at 15*s.* per week	8	5	0			
Other allowances, by order of sessions	9	12	6			
Total	£201	10	6			

DIET.	£.	s.	d.	£.	s.	d.
9,028½ lbs. of bread, at 1½*d.*	42	6	5½			
802 lbs. of meat, at 3½*d.*	11	13	11			
10½ cwt. of oatmeal, at 17*s.* 6*d.*	9	3	9			
ditto of salt, at *s. d.*	..	..	..			
51 bushels of potatoes, at 1*s.* 10*d.*	4	13	6			
lbs. of cheese, at *d.*	..	..	..			
Other allowance by surgeon's order for sick prisoners	..	..	..			
Total	£67	17	7⅜	67	17	7⅜
				201	10	6

REPAIRS, &c., IN AND ABOUT THE PRISON.	£.	s.	d.
Carpenter	1	8	0
Bricklayer	..	..	..
Plumber	..	..	..
Glazier and painter	1	4	1
Locksmith	1	10	0
Ironfounder	..	..	..
Mason	..	..	..
Materials for repairs	3	8	1½
Brazier and tinman	..	..	..
Cooper	..	..	..
Total	£7	10	2½

CLOTHING AND BEDDING.	£.	s.	d.	£.	s.	d.
Clothing	7	3	7			
Shoes, three dozen, at 3*s.* 4*d.*	6	0	0			
Bedding	..	..	..			
Straw for ditto	2	15	0			
Calico, thread, worsted, &c., for repairs	1	13	11			
Total	£17	12	6	17	12	6
New works	..	..	..			
Repairs of mill	4	1	9	4	1	9
				7	10	2½

FUEL, OIL, SOAP, &c.	£.	s.	d.
10 Chaldron of coals, at 1*l.* 18*s.*	19	0	0
300 of chips, at *s.*	1	0	0
6 Dozen of candles at 5*s.* 1*d.*	1	10	6
8 Gallons 3 quarts of oil, at 3*s.*	1	6	3
Cotton, brimstone, and charcoal	0	3	10
5 cwt. of soap, at 2*l.* 8*s.*	12	0	0
28 lbs. of soda, at *d.*	0	4	6
Brooms, brushes, mops, &c.	1	12	6
Total	£36	17	7

PRINTING	£.	s.	d.	£.	s.	d.
Stationery	6	15	2			
Books of instruction	1	1	0			
Total	£7	16	2	7	16	2
Money given to 20 prisoners on their discharge	0	10	6	0	10	6
				36	17	7

CONVEYANCE OF PRISONERS.	£.	s.	d.
Conveying 13 prisoners to sessions at Abingdon, two guards, &c.	12	12	2
Conveying four convicts to Woolwich, turnkey, one guard, &c.	6	14	8
Conveying convicts to Portsmouth, turnkey, and guards	..	..	..
Conveying prisoners to assizes at Abingdon, guards, &c.	..	..	..
Total	£19	6	10

STORES AND INCIDENTALS.	£.	s.	d.	£.	s.	d.
Stamps to treasurer 1*s.*, sweep 7*s.* 6*d.*	0	8	6			
Surgeon	..	..	..			
Postage of letters	0	13	7			
Beer for nurse	..	..	..			
Incidentals	4	7	11			
Plumber's force pump	2	2	0			
	£7	12	0	7	12	0
				19	6	10
Total expenditure for the quarter ending December 26, 1835				370	15	7½⅜

RECEIPTS APPLICABLE TO THE COUNTY RATE.	£.	s.	d.	£.	s.	d.
1st. Amount of fines paid to keeper by prisoners, and applied for maintenance of prison	..	..	..			
2d. Amount received for the support of vagrants	..	..	..			
3d. Amount of sums taken from prisoners, and applied to payment of their expenses, pursuant to statute	..	..	..			
4th. Amount received for support of two soldiers	0	12	6			
5th. Amount received for convicts from the period of their conviction til execution, or removal for transportation	..	..	..			
6th. Amount received for prisoners for offences against the Revenue Laws	..	..	..			
Amount received for rent of cottage, 2*l.* 10*s.*—meadow, 1*l.* 5*s.*—garden, 1*l.* 10*s.*	5	5	0			
Amount received for rent of mill	3	4	5			
Amount of net profit arising from productive labour	4	13	6			
Total amount of cash received	£13	15	5	13	15	5
Total sum paid by the treasurer				357	0	2½⅜

AMOUNT OF BOROUGH BILLS.	£.	s.	d.	£.	s.	d.
The borough of Reading, for subsistence, &c., of 13 prisoners, at 3*s.* 6*d.* per week, as per bill	17	13	0			
The borough of New Windsor, for 9 prisoners, at 3*s.* 6*d.* per week, as per bill	11	8	6			
Total amount paid to the treasurer	29	1	6	29	1	6
Total amount from county rate				327	18	8½⅜

	£.	s.	d.	£.	s.	d.
N.B. Amount of salaries paid by the treasurer to officers	201	10	6			
Ditto of bills ditto to tradesmen	108	19	4⅜			
Ditto of small bills paid by the treasurer to the keeper, included in the above account	60	5	9½			
Total expenditure for the quarter ending December 26, 1835	370	15	7½⅜			

Communications respecting Treasurer and Accounts, general Management, &c.

Disposal of Prisoners from Michaelmas, 1834, to Michaelmas, 1835.

	Male.	Female.
Hanged	..	..
Transported	44	..
Imprisoned for different periods, and since discharged	352	36
Acquitted and discharged	54	5
Discharged on recognizance	..	..
Discharged on payment of fines	9	..
Debtors discharged	45	2
Now in custody for assizes	1	..
Now in custody, and take their trials at these sessions	4	2
Debtors in custody	9	..
In custody for different periods	47	6
Total	565	51

Comparative Number of Prisoners committed to the Gaol and House of Correction for the following years, ending Michaelmas, 1835.

	Total Number of Prisoners.			
	1832	1833	1834	1835
Convicted felons	92	87	127	97
Ditto misdemeanors, including those under summary convictions	84	145	111	105
Assaults	54	58	51	72
Game laws	60	65	86	93
Committed on a charge or suspicion of felony	37	34	44	45
Committed ditto ditto misdemeanors	17	15	15	11
Soldiers	11	23	18	18
Debtors	38	55	53	56
Vagrants	67	104	104	83
For further examination	35	54	65	36
Total	495	640	674	616

Expenses of the County Gaol and House of Correction for the following Years, ending Michaelmas, 1835, with the Receipts for each Year deducted, showing the actual Sum charged on County Rates.

	1832.	1833.	1834.	1835.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenditure	2,875 8 10¾	2,831 15 0½	2,375 9 0¼	1,649 9 5¼ 6/8
Ditto New works	139 15 0	979 7 2	444 12 10¾	. .
Total Expenditure	3,015 3 10¾	3,811 2 2½	2,820 1 11	1,649 9 5¼ 6/8
Receipts	177 15 7½	196 3 7½	338 8 9	205 18 0
Total Expense	2,837 8 3¼	3,614 18 7	2,481 13 2	1,443 11 5¼ 6/8

N.B.—In 1832 £500, and in 1833 £550. 2*s.* 3*d.*, were paid, pursuant to the will of the late Mr. Shutes, for a building for juvenile offenders; these sums are therefore not included in the above account. A further sum of £979. 7*s.* 2*d.* charged for new works in 1833, and £444. 12*s.* 10¾*d.* in 1834, is included, having been paid by the county for an infirmary and other expenses of the new building.

A Return of recommitted Prisoners during the last Quarter, stating their present and other Offences, and the Number of Times committed to the Gaol and House of Correction at Reading.

No.	Name.	Parish.	Present Offence.	No. of Times.	Other Offences.
1	Allum, Richard	Bradfield	Stealing pears	Three times	Rogue and vagabond, and stealing onions.
2	Brown, George	Thatcham	Stealing flour, &c.	Twice	Assault.
3	Claridge, William	Hurst	Stealing rabbits	Twice	Misdemeanor.
4	Clark, Jas., *alias* Bucket	Remenham	Poaching	Twice	Poaching.
5	Cripps, William	Pangbourn	Poaching	Twice	Poaching.
6	Davis, Henry	Reading	Stealing a ham	Twice	Leaving his work.
7	Dearlove, Thomas	Streatley	Stealing hay	Nine, once transported	Stealing straw, hay, rogue and vagabond.
8	Dell, William	Newbury	Assault	Three times	Assault.
9	Duffin, James	Tilehurst	Stealing fowls	Three times	Stealing an iron pot and barley.
10	Edgerton, John	Reading	Rogue and vagabond	Twice	Rogue and vagabond.
11	Emmery, William	Reading	Rogue and vagabond	Twice	Assault.
12	Gibson, Mary	Maidenhead	Rogue and vagabond	Seven times	Assault, and bastardy.
13	Gough, Sarah	Newbury	Misbehaviour	Four times	Misbehaviour, and stealing potatoes.
14	Hamblin, William	Bradfield	Poaching	Twice	Poaching.
15	Hanmer, Catherine	Old Windsor	Rogue and vagabond	Three times	Misdemeanor, and rogue and vagabond.
16	Hazell, William	Thatcham	Poaching	Three times	Stealing a wheelbarrow.
17	Heath, William	Newbury	Stealing a reaping-hook	Four times	Stealing coals, underwood, and cabbage.
18	Herbert, Samuel	Windsor	Larceny	Twice	Stealing from the person.
19	Hill, Charles	Newbury	Rogue and vagabond	Twice	Rogue and vagabond.
20	Hughes, John	Reading	Rogue and vagabond	Three times	Rogue and vagabond, and stealing a watch
21	Hughes, William	Thatcham	Poaching	Four times	Poaching and misdemeanor.
22	Jackson, Sarah	Reading	Rogue and vagabond	Twice	Rogue and vagabond.
23	Jones, Thomas	Newbury	Leaving his service	Twice	Misdemeanor.
24	Jordan, Richard	Newbury	Rogue and vagabond	Four times	Rogue and vagabond.
25	Kelly, Jos., *alias* Bolton	Newbury	Housebreaking	Three times	Burglary, obtaining goods under false pretences, and assault.
26	Marshall, William	Lambourn	Rogue and vagabond	Twice	Assault.
27	Minall, William	Aldermaston	Poaching	Three times	Stealing underwood and coal.
28	Moss, William	Newbury	Assault	Three times	Poaching, and stealing part of a tree.
29	Newman, James	Remenham	Poaching	Three times	Poaching.
30	Pope, George	Midgham	Housebreaking	Twice	Stealing turnips.
31	Povey, Isaac	Speenham-land	Misdemeanor	Twice	Leaving his service.
32	Rogers, Catherine	Hurst	Breaking windows	Twice	Breaking windows.
33	Salter, Philip	Thatcham	Stealing turnips	Twice	Felony.
34	Saunders, Francis	Windsor	Stealing turnips	Four times	Stealing from the person, ducks, and larceny.
35	Tarrant, George	Hungerford	Stealing a watch, &c.	Twice, and transported	Stealing fowls.
36	Vicars, William	Tilehurst	Stealing hemp	Five times	Housebreaking, damaging a tree, stealing turnips and grass.
37	Warner, William	Pangbourn	Rogue and vagabond	Four times	Poaching and stealing rabbits.
38	Watkins, George	Bray	Stealing a net	Twice	Leaving his service.
39	Watts, Henry	Church-speen.	Stealing a scythe	Four times	Stealing a tame rabbit, destroying fish, and assault with intent to commit a rape
40	Watts, Henry	Wokingham	Misdemeanor	Twice	Assault.
41	Whitman, Thomas	Padworth	Rogue and vagabond	Twice	Rogue and vagabond.
42	Wiggins, James	Wokingham	Stealing corn, &c.	Twice	Stealing beans.

Examined and allowed. J. Blagrave, J. J. Bulkeley, H. Clive, } Visiting Justices.

Communications respecting Treasurer and Accounts, general Management, &c.

Communication from J. FORBES, *Esq., Berks.*

In reply to that part of your circular of the 8th of August 1835, "or with any other head of expenditure affecting the county rate," I will venture a few remarks.

A protracted dispute has existed in this county with the treasurer, on the part of some of the magistrates, which has been at the present sessions got rid of, by a division of 28 to 22, against his accounts being subjected to the inspection of an accountant, by reason of their never having been passed according to the Acts of Parliament; the treasurer sheltering himself under a clause in each Act, that at the expiration of three months no suit shall be instituted, &c.

The deficiencies are, a copy of the accounts, which the treasurer is bound to lodge with the clerk of the peace, but which has not been done, nor will he allow his books to be inspected by the magistrates; so the publication of the annual abstract of the accounts in the county paper; also the documents relating to the accounts, which ought to be in the possession of the clerk of the peace *in toto*, instead as, in this case, in part.

The propositions I have to submit are, that the treasurer be compelled to publish at length a copy of his accounts in a pamphlet, to be delivered at each Easter sessions to the magistrates present, and the remainder to be open to magistrates to send for them to his house, and that this account shall be the only one he can claim as against the county; and that the penalties for omitting to do this for the space of three months shall be his removal from his office, and not to be restored unless with a majority of the court, at some future sessions, of two-thirds of the magistrates present, of which notice in the usual way shall be given by advertisement fourteen days previous. In some counties the clerk of the peace and the treasurer is the same person;—surely this is not consistent. It would materially facilitate business if, when orders are granted by magistrates to constables, and approved at the sessions, the high constables were empowered to pay these orders, endorsing them with the petty constables' receipt, and handing them over to the treasurer as money.

My reasons for this are twofold. I have it in affidavit that the constables are vexatiously teased by not obtaining their monies after numerous journeys, many miles; besides which, if the documents be not at each sessions regularly lodged, as the Act 12 Geo. II. c. 29, directs, it is possible they may be charged against the county more than once; and, when it is considered that the same magistrates do not inspect the accounts on all occasions, this will be a material check. Whilst this would be a convenience of great magnitude to the petty constable, it would also, in some respect, be so to the high constable, for it would lessen the amount of money in his charge, which he is obliged to carry to the treasurer.

Should such an event happen as that the treasurer should a second time omit to publish his accounts, as before alluded to, I submit that, in that case, he should be incapable of being again appointed to the office.

Communication from T. DIMSDALE, *Esq., Barnet.*

The Barnet General Association commenced in 1813, and has progressively improved every succeeding year. We have a judicious and influential committee, in which are included the magistrates of the district, several clergymen, and other individuals of intelligence, who have given the subject the attention it deserves. We have six officers and a superintendent, whose duties are too numerous to explain in a letter: their pay is 20*s.* weekly, the superintendent 25*s.*; these and all other expenses are borne by a voluntary annual subscription. The men muster at my house every evening at six o'clock, are inspected, have their routes for the night assigned them, &c., &c. The committee meet as often as occasion requires, but they have an annual meeting of subscribers, to whom a report is submitted; this is ordered to be printed and circulated through the neighbourhood. I herewith enclose the reports of the last three years, which will give some idea of our proceedings. I have been the gratuitous secretary the whole time the association has existed, and have the reports of the past twenty-two years.

The committee have frequently canvassed the subject of the parochial constabulary force, and, knowing its many and great defects, have offered that their officers should do the duties of the associated parishes; but prejudice has hitherto prevented the removal of those useless and expensive officers, who are equally a burthen to parochial and county rates. Many of the expenses of these and other servants of the county might be greatly lessened by adopting a new system; besides, it is but reasonable that, as the county bears the entire burthen of many prosecutions, the funds of the county should be increased from many sources which now are lost to them.

In Middlesex a great saving might be made by not having constables in attendance (except on extraordinary occasions) from a distance; also by ensuring that bills should be found and trials come on nearly at the time expected, so that witnesses have not several days' allowance instead of one or two at the most. Besides, such attendance has a most injurious effect on morals, by giving the labourer or mechanic a taste for idle and partly criminal details, which are most abundant in the purlieus of our criminal courts.

Further Communication from R. SHUTE, *Esq., Bradford, Witheridge.*

I have already acquainted you with my conviction that a reform in the system of rural police was highly essential; circumstances which have just occurred here will show that it is absolutely indispensable.

On Saturday last the house of a farmer, living about eight miles from this spot, was broken into, and cash to the amount of £120 stolen. The suspected robbers were traced to Witheridge, where they are well known, and very respectably connected. On arriving there, the constable in pursuit, with his assistants, applied to the parochial constable to show him the way to my house, and to bring forward a witness who could identify the parties; this he refused to do, saying that they were acquaintances of his, and could not have committed a robbery. After having taken them to a friend of the accused, who chanced not to be at home, they were left to find their way as they could to me, and arrived after ten o'clock at night. The men were apprehended, and strict orders given by me that they should be kept separate, and no person admitted into the rooms in which they were secured

Communications respecting Treasurer and Accounts, general Management, &c.

till the next morning. In defiance of this the constable allowed them to hold a regular levee; numbers of their friends were admitted at the same time, the witnesses shamefully tampered with, and every facility afforded for escape, had the prisoners been disposed to avail themselves of the opportunity.

The constable will be fined, but that will not remedy the evil. An entire change of system is absolutely requisite; for it is utterly impossible for magistrates to work with such machinery, nor can justice be fully and equally administered without a responsible and efficient police.

Communication from J. MORANT, *Esq., Lyndhurst.*

Being invited to offer suggestions on any expenses connected with the county rate, I trouble you with a few observations.

In order seriously to curtail the expenditure in respect of the administration of justice, as affecting the county rate, it is hardly necessary to observe that the prevention of offences against property and the person must be a first principle. I am of opinion that that principle cannot be carried into effect unless the constabulary system, (if system it be called,) as now in operation in rural districts and small towns, be submitted to a thorough revision.

In some places the lord of the manor names the constable or tithing-man.

Sometimes the constable is sworn in before a single magistrate, I believe, or at any petty sessions; the power of the borough constable, or at least his duty, is considered to end with the boundary of the borough; and in some cases the rural constable's office, and the written powers he carries with him, required to be backed by a borough magistrate.

There is little competition for an unpaid office, and few candidates to select from. I have known an instance of a tithing-man, after his appointment, changing his domicile to twenty miles off, and leaving his charge in abeyance.

The constables generally look to remuneration from their fees, particularly mile money, and probably to the very bad and inoperative system of rewards for discovery of crime.

The organization of the metropolitan police presents the mode of amelioration, and I see no difficulty in a committee of magistrates in quarter sessions executing a similar superintendence to that of the secretary of state, with paid supervisors under its control; or, to this end, the constable of the hundred might be made a paid and efficient officer, superintending, with the aid of the local magistracy, the conduct of the subordinates.

The office of constable is now frequently in the hands of the small and sedentary tradesman, and I think if paid for their time, partly by a fixed salary, and partly by fees on summonses and warrants, and subjected to the control of a vigilant superior, some advantages are to be derived from not excluding them, as they are generally aware of the characters and persons of the frequenters of their shops; but there may be some doubts on this matter.

Nothing can be more difficult than to apportion rewards for search and apprehension at present, when the statement of the constable himself of his difficulties and zeal is the only guide the magistrate has in most cases.

I would suggest that the annual account of fines, as levied at petty sessions, should be signed by two justices and in petty sessions, and not by one, as is now legal, and that these accounts be published in the county papers. In all cases, either of convictions under magistrates in petty sessions, or verdicts of guilty in trial by jury, I think the property, if any, and the wages of the convicted party, should be attachable at any subsequent period for the reimbursement of the county expenses of search, apprehension, and conveyance, &c.

There is every reason to hope that the Municipal Reform Bill will tend to curtail the expenses of the quarter sessions, by extending the jurisdiction of recorders in boroughs; and should the boards of guardians, under the poor-law amendment, when their respective workhouses are prepared, make an invariable rule to take into the house the destitute wives and children of men imprisoned under conviction for assaults and petty offences, I have no doubt a salutary check will thereby be imposed on the minds of the husbands; and that those kind of offences will be much diminished, lessening in proportion to county rates.

It is evident that the establishment of district courts would materially curtail the expenses of witnesses, and the necessary allowances of maintenance and conveyance of them, and also prisoners. In Hampshire the most trifling matters must go to Winchester for trial, although Southampton, as a seat of justice, is much more attainable to the southern and western parts of this county, as is Basingstoke to the north and north-eastern. The inequalities of boundaries of counties will probably not escape the attention of the committee. They will, on inspection of the Hampshire map, see a remarkable angle made by Wiltshire, and observe that an offence committed in Rockborne or Breamore parishes, within eight miles of Salisbury, must be sent for trial, perhaps not less than some thirty miles, to Winchester. The same is applicable, more or less, to the Fordingbridge district altogether.

I have no doubt a strong instance of the inconvenience of this boundary might be adduced from the expenses which, in 1830, the attack on West Park and the mill at Fordingbridge, by a riotous mob from Sarum, imposed on the county of Hampshire.

The principle of the appointment of convenient places of assizes has been recognised in Ireland by the Act of last session, 5 and 6 Will. IV. c. 26; why the same principle should not be extended to quarter sessions, and their removal or appointment in England, is difficult to say.

There would be no difficulty in the clerk of the peace for one county obtaining payment of the other clerk for any expenses incurred in consequence of magistrates being allowed and enjoined to commit for trial to the nearest assizes and quarter sessions, without regard to the narrow views of county boundaries.

Communication from the Rev. E. POSTLE, *Norfolk.*

As regards the *High Constable:*—This officer has a salary of £1 from each parish in the hundred, and there are two high constables to each hundred, which salary is divided between them; it is in lieu of all fees, and is collected quarterly with the county rate. A proposition was lately made to increase this salary, but, the office being usually sought by the substantial yeoman as a post of honour, it was not acceded to by the magistrates at quarter sessions.

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The *Petty Constable* has no fees attached to his office, nor does he derive any emolument, except when employed in executing a warrant or summons, or conveying a prisoner after commitment. There is no regular table of allowable expenses for this officer in Norfolk, consequently it rests with the magistrate what charges to sanction. At the petty sessions in this hundred we have adopted this rule:—in summary proceedings, with *warrant*, 2*s.* 6*d.* executing; 2*s.* 6*d.* attending with prisoner before the magistrate; and for travelling expenses 1*s.* first mile, and 6*d.* every other. Should it appear that it was necessary for the constable to execute the warrant the day previous to the return thereof, we usually allow 5*s.* or 7*s.* for the night; but such a proceeding is not generally sanctioned. With a *summons* 1*s.*, serving 1*s.*, attending to prove service of summons 1*s.* first mile, 3*d.* every other.

In cases of felony the constable's charges are allowed in the prosecutor's bill of expenses, and are regulated by the trouble he may have had, and the nature of the case, as it often happens that he deserves more liberal allowances than in a summary proceeding. I, however, send you a draft of the prosecutor's bill of expenses in case of felony, where you will see it is left to the committing magistrate to determine upon and certify the fair compensation to the constable.

And I also send a draft of the prisoner's conveyance bill, after commitment. This bill ought never to have any charge in it but for actual conveyance of prisoner. Till a year or two ago another form was in use in this county, and I assisted in drawing the present one, taking as a model that used in Kent; and it was hoped that the present form was such as to prevent the possibility of extra charges creeping in: such, however, is proved not to be the case, as last year, in the bills for conveying prisoners, in number 711, and amounting to £755, there were irregular allowances in many of them. I would observe in one division the magistrates always allow *post-horse duty*.

I send a table of clerk's fees, as allowed by the judges, for this county.

As to suggestions, &c., you will be kind enough to consider that the observations I make generally refer to this county; and the suggestions I offer are, in most cases, borrowed from what I think to be a better system elsewhere.

I therefore send you the report of a committee of magistrates in this county whose appointment I moved for in October 1833, and I did so in consequence of discovering that our prison expenditure far exceeded, comparatively speaking, that of other counties. To enable me to make this comparison I was obliged to apply to the clerk of the peace or treasurer of upwards of thirty counties, and by so doing obtained much useful information. But I regret to say I always met with much opposition in our county room; and, though the committee were unanimous in their report, few of the recommendations it contained were acceded to by the magistrates, and I must beg the attention of the Commissioners to some points in that report which no one has ever attempted to gainsay.

The visiting justices of our county gaol still refuse to admit the system of contract into the prison, alleging that the food supplied by contract will not be of sufficiently good quality for prison diet. The food of the pauper throughout England must, I believe, by the Poor-Law Act, be supplied by contract, (in all our established unions it is,) and I cannot but think the system ought to be compulsory in prisons.

I think the salaries paid our gaoler and turnkeys must appear very great: an attempted reduction would be outvoted, I dare say, by eight to one, or more.

Prosecutions.—The assize prosecutions, comparing the costs with sessions' prosecutions, are as 3¾ to 1. The allowance to prosecutor and witnesses is greater: £4. 6*s.* 6*d.* is allowed for attorney and counsel. I think, as regards the expenses of a prosecutor, &c., the magistrates are better judges than a clerk of assize, and it would be well for the magistracy to regulate these allowances for the assizes as well as the sessions.

Clerk of the Peace.—There is no table of fees to be taken by this officer in Norfolk. You will see this alluded to in the report I have before referred to. Since 1833 it has been twice deputed to a committee of magistrates to draw a table of fees, but such has not yet been done, as it was thought the Legislature would consider the question; and indeed, whatever the fees determined on by the magistracy, the sanction of the judges is necessary, and probably the fees taken by the clerk of assize would very much regulate those of the clerk of the peace. I hope the Commissioners will order the bills of this officer in every county for the last two or three years to be sent them; they will then see the nature of the charges for business done; in addition to which there are all the fees taken for indictments, appeals, searches, records, &c. &c., of which no account is given, nor in this county has it been possible to obtain an account from the clerk of the peace: still, eventually, they are most of them paid out of county rates, in prosecutors' bills.

Last year his bill amounted to £902. 18*s.* 10*d.*; the particulars I cannot state. But in 1833, in his bill amounting to £897, his charge for transportable convictions amounted to £189, acquittals £39. 13*s.*, no true bill £14. 15*s.*, expenses under the Reform Act £246. 13*s.*, not including the printing, but the making out list of voters, about 13,000, which he charged at one shilling per folio, and 6*d.* per folio fair copy thereof. During the last two years the charge for making out register of voters has been less; still it is in the same form, per folio, which I consider very extravagant.

The clerk of the peace resides at Aylsham; the last resided at Fakenham, 25 miles from the county town. Aylsham is 12 miles, and as all the county papers, &c., are kept at his office, this is attended with great trouble and expense to attorneys, their clients, and others; besides a charge for post-horses, when attending any business but the sessions, from this officer himself.

I think this officer might be paid by salary, and most, if not all fees be abolished. The office ought to be in the county town, and the officer removable by the magistracy; but the appointment to continue with the Lord Lieutenant. I think in every county there should be a finance or expenditure committee to examine all bills, *part of whom should annually go out by rotation*; and, if this regulation were applied to the committees of *visiting justices to the prisons*, it would do good; as it is, such committees are almost self-elected, as in case of a vacancy the remaining members always nominate the person to fill it; and, if no vacancy is declared, the reappointment of all follows as a matter of course.

I must have tired your patience, but must refer to the treasurer's accounts for the last year, which I have sent. This is the first year they have been published in *detail*, and, as I also send them in the old form, you will see the difficulty for any individual hitherto to ascertain precisely the different items of expenditure. This was one of the recommendations contained in the report to which I have directed your attention; and I adopted the form from that of Lancashire, Durham, Dorset, and Bedford. But few counties appear to publish their accounts in detail: this ought not to be the case; and the

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accounts ought to be circulated, not merely among the magistracy, but with the rate-payers. I would say, let every guardian or overseer of the poor have a copy. In Durham a copy is sent to each high constable, and this I believe to be a singular instance. In Lancashire the lunatic asylum accounts are annually published, and properly so.

Lastly, I would say, do not let the county rate fall exclusively on the occupier; but let the owner feel the burthen. When the county gaol was built in Norfolk, in the Act of Parliament obtained for the purpose the landlord paid half the expense, and the rate was as easily collected as the land-tax is from the tenant.

Communication from J. STRACEY, *Esq., and other Magistrates, Norwich.*

Amongst the disbursements in the last-mentioned account there are some which may appear to the Commissioners high in amount, such as the salaries granted to the public officers attached to the gaols in this county, the annual bill of the clerk of the peace, the county surveyor's charges, and the stationer's bill for registration of voters. The magistrates at their quarter sessions have recorded a resolution, that at all future vacancies in the situations of public officers the subsequent salaries, after investigation, are to be fixed, according to the then existing circumstances, and an inquiry into the charges and fees of the clerk of the peace has been postponed, from an understanding or expectation that some uniform rule would be established under the direction of Parliament; but it will be observed that by his charge for registration of voters £160. 4*s*., and the bills for printing £143. 5*s*., the county expenses have been increased £303. 9*s*. by the Reform Bill, to which it was not before liable. The office of county surveyor being now vacant, a committee is appointed to report generally on the duties of the office, and to see whether a more economical plan for the county may not, in future, be adopted, and at the same time secure the effectual repair of all the public buildings. By the 21st section of the new Highway Act of 5th and 6th Will. IV. c. 50, the roads at the ends and over all bridges that may hereafter be made are to be kept up and maintained by the parishes wherein they are situated. We are not aware of any objection to a similar responsibility being imposed upon parishes in respect of bridges already built, and belonging to the county, of which there are already 88: it would be a great preventive to imposition, if any exist, would relieve the county rates, and it appears to us to be only just and proper.

Communication from G. WILLIAMS, *Esq., Lancashire.*

Magistracy.

I may premise, as evidence of my anxiety on this county-rate question, that I have three several times singly appealed to the Court of King's Bench against the misapplication of the county rate at considerable cost to myself, which costs the justices in annual session refused to allow me (although I had saved by those appeals several thousand pounds to the county, besides the check which this introduced upon their practice of heedless extravagance); but my application to be indemnified was rejected on the pretence that I had acted without their concurrence! "I should have consulted them in appeal" against themselves! In each of those appeals I had, however, the unanimous verdict of the Justices of the Court of King's Bench.

An experience of a quarter of a century as a justice of the peace satisfies me that there is no efficient remedy against wanton expenditure but a recurrence to that ancient and constitutional right of the people, namely, the election of their own conservators of the peace, of which they were deprived by the regicides of Edward II., the exercise of it being more imperiously demanded since they have had a revenue to raise and manage, without any responsibility whatever; and that revenue growing (in this county) from about £1,000, which it did not exceed till after the year 1770, to nearly £100,000. This remedy I proposed to Lord John Russell, when I was examined before the county-rate committee, in answer to his question on that point—an answer at which he smiled, and inquired if I wished to have it entered on the minutes. I replied that I was indifferent to that, it being my intention to proclaim it in the House itself on the first favourable occasion.

I shall forward to the Commissioners a useful exposure of abuses which has been published by Mr. Hindle, of Preston.

Clerk of the Peace.

Among others, which occur to myself, I shall mention what may justly be dispensed with as burthensome to the public. The office of *clerk of the peace*, in addition to what Mr. Hindle has stated should be investigated, is I suppose a sinecure, as it is performed by deputy; and after the death of the late officer, Gort, there seems to have been some juggle to favour one of the family name, the clerk being now *clerks*, Gort and Birchall.

The clerk of assize is I believe a sinecure and "patent;"—of course a "freehold," and "vested interest."

County Treasurer and Officers.

The emoluments of other officers are stated ably by Mr. Hindle. On the return to "cash payments" I attempted in vain to get a revision of salaries and emoluments; the tendency to reduction is not found amongst our body. Some years ago the county treasurer wanted an increase, and, knowing my hostility to this, he applied personally to me. I inquired the grounds of it: he said the militia gave him additional trouble. "Well, an assistant at £50 a-year would relieve you of this." "Amply," he said. When it was proposed in open court, no reasoning of mine could prevent the gratuitous addition of £200.

Appeals.

Much might be saved in appeals against removals of paupers. The late "Amendment" Act does something in restraining sudden removals; but I have been instrumental in establishing the practice of never trying a settlement case if possible till notice has been given, and the presence obtained of the several litigants. All the parties hear, and are satisfied with our decision. That source of profit to the bar from our bench was speedily noticed.—"How comes it, Mr. R., that we have now no appeals from Prescot?" A considerable saving in the rate will be felt by the removal of the assize from Lancaster to Liverpool; but the great source of expenditure, in the prosecution, maintenance, &c., of criminals, cannot materially be diminished while it is the interest of the Government to encourage for the sake of revenue the indulgence of the people in intoxicating liquors; and many times the amount of what is gained to the Exchequer is lost to the country in this way, to say nothing of the many channels of industry impeded by it, and the dissolute habits which lead to the workhouse as well as the gaol.

Spirits.

Communication from R. M'WILLIAM, *Esq., Middlesex.*

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1st.—*Clerk of the Peace.*—The absolute appointment of the clerk of the peace being at present in the Custos Rotulorum, this officer is frequently private solicitor to the Custos Rotulorum, (sometimes chairman of the sessions,) and practises as an attorney at the sessions, of which he is clerk of the peace; is the associate of the chairman as judge; and in a large majority of cases the clerk of the peace is the ablest and most influential judge in the court, though magisterially wholly irresponsible. The confusion of the county records too, as well as of the rules and standing orders of sessions, may sometimes enable persons to defeat the ends of justice without any great risk of observation: if detected, it is only a mistake; the means of correcting it may be difficult, and so expensive that not one in fifty who sue or are sued at the sessions are able to pay for the correcting a mistake when it is detected; if not detected, it is then a precedent.

For remedy.—The clerk of the peace to be only nominated (if even that must be so) by the Custos Rotulorum, subject to the absolute appointment by the Crown;—not to act as a solicitor either by himself or partner at the sessions held for the county of which he is clerk of the peace;—all books, papers, and accounts in any way relating to the county, or to fees taken by the clerk of the peace, or other officers of the county, to be open for the inspection of every magistrate, and the proper officer to give every explanation relating thereto whenever required. To account for all fees taken by them in the execution of their several offices, (and to pay the same over to the county treasurer in aid of the county rates,) and in lieu thereof to be paid by salary; amount to be fixed by quarter sessions, subject, however, to the approbation of the Crown.

Appointment of a deputy clerk of the peace (when requisite) to be subject, not only to the approbation of the Custos Rotulorum, but also of the Crown.

All officers to be removable by the court of quarter session, or by the Crown, for misconduct.

2nd. *Selection of fit Persons for Magistrates.*—As regards the mode of selecting fit and proper persons to be recommended to the Crown for appointment as county magistrates, I have not been able to determine any way satisfactory to my own mind, but certainly I would not have them elected by the body of the people without some very strong counterbalancing power. If it were not presumption to hazard any opinion as to the election of magistrates, perhaps something like the following might answer. When the rate-payers within a certain division or parish may think an additional number of magistrates requisite for the due administration of justice, they may, at their discretion, petition the Crown for such additional number as they may think necessary, stating the population of the division or parish, the number, name, and residence of the magistrates then acting in such division or parish, and such local or other circumstances as they may think proper. If the prayer of the petition or any part thereof is granted, the Secretary for the Home Department shall direct such petitioners and others, being rate-payers within the district or parish, to nominate by election among themselves double the number intended to be appointed of fit and proper persons, and deliver the same list to the Custos Rotulorum, together with the names, residence, and proper description of each of the persons so elected, stating the number of votes taken for each person. The Custos Rotulorum shall in writing make any remarks as to each of the persons (so returned to him) as he may think proper, and within twenty-one days from the receipt of the same shall transmit such nomination list, together with his remarks, to the Home Secretary, and such Secretary to make or not any remarks in writing, as he may think necessary, and then transmit such original nomination list, and the statements made by the Custos Rotulorum and those made by himself, to the Lord Chancellor, who shall make such selection as he may think proper, and shall finally appoint not more than half the number of persons so returned to him.

The final appointment and power of dismissal being as at present in the Crown.

None of the degree of knighthood or of less rank to be appointed magistrates, except on the express condition of their forthwith qualifying and acting in their respective counties and divisions.

No person whatever to be eligible for nomination or appointment who is in any trade or business or profession, except bankers, and barristers of at least six years' standing, or whose stake in the county of which he is to be appointed a justice of the peace shall at any time be of less annual value than £300 arising from fixed property, unless it be persons appointed to fill the office of police magistrate, (carrying on any business, trade, or profession after appointment to disqualify them,) except as before excepted.

To be prohibited from taking any fees for their own use, either directly or indirectly.

The Acts of Parliament under which magistrates are granted wages (allowed in the sheriffs' cravings) to be repealed, and in lieu thereof (if any remuneration be deemed requisite) let every magistrate, when qualified, have a complete copy of the "Statutes at Large" given to him, or at a very small expense.—See Note A, p. 86.

3rd. *Chairman of Sessions.*—There appears, and no doubt is, great risk of justice not being properly administered, unless the chairman of the quarter sessions is a barrister of at least ten years' standing; and as it is difficult to find a professional gentleman qualified, who will give up his practice at the bar, it appears but reasonable that a proper salary should be given as an equivalent for the sacrifice of the private practice which is so essentially necessary for the ends of justice to be given up.

The chairman of the quarter sessions ought not to be elected by the magistrates, because, by such election, unless they are unanimous, it is certain to divide them into parties, and with party spirit neither truth nor justice are likely to be benefited.

Chairman of quarter sessions to be appointed and paid by the Crown, where pay is necessary; the other magistrates to retain the same power and authority as they now have in sessions. In the case of Middlesex and Westminster the same chairman might with advantage officiate at both (which at one period was so). If the commissioners could be joined, and one clerk of the peace appointed, so much the better. (Westminster, however, appears to have a commission of the peace grafted on the foundation of a court leet, as there does not appear to be any charter.) The two would afford an ample salary for a competent person as clerk of the peace without private practice as a solicitor, which practice is not advantageous to public justice; or it would be still better to do away with the Westminster commission, build a new Session House on the county ground adjoining the Westminster, and dispose of the Session House and New Prison at Clerkenwell, and the Guildhall, Westminster. The New and Old Bridewell at Westminster would be amply sufficient for all the purposes likely to be required, and thus bring the whole into one establishment, by which means the

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liabilities to abuse would be less, and a considerable saving might be effected; but, what is of still more importance, the public would have a better chance of justice being duly administered. However, looking at these two courts as they are at present constituted, any person competent to judge will readily admit that there is room for considerable improvement.

4th. *Appointment of County Officers.*—The present mode of appointing county officers is by the nomination of magistrates, and upon their judgment as to the eligibility of the candidate.

The magistrates at general, quarter, special, or petty sessions, as the case may be, appoint by the majority of magistrates by ballot. This method of appointment is liable to abuse, magistrates in session or out of it not being always competent judges as to the qualification of candidates; and if the subjects of qualification are referred to a committee to inquire, and they report to the court, yet, as courts are not bound by the report, if there are a sufficient number of magistrates who interest themselves for any candidate, however ineligible, he becomes the officer; and at elections magistrates attend and vote who are never seen or heard of in any other magisterial capacity, nor again until another election. Several magistrates qualify every election, I do not say for the purpose of voting for persons whom they do not know (but there may be doubts). By these means many ineligible persons are elected to office, the duties of which they have to learn at the expense of the county after they are so appointed; such as county surveyors, high and petty constables, and, in Middlesex and Surrey, district surveyors under the Building Act.

The instance, Note B, is an illustration of the above observations.

For remedy.—All officers having district duty to perform to be nominated (say two or three persons) by the rate-payers of the district, and return such persons to the quarter sessions, general, special, or petty sessions, as the case may be, held in and for the county or division, for the magistrates there assembled to appoint one (out of the number so returned) to the vacant office, similar to the appointment of surveyors for the highways.

If some plan of the kind were adopted there is no doubt more efficient officers would be appointed, but, when magistrates are so forgetful of their duty as to appoint inefficient persons for interest's sake, they are on the same principle unwilling to hear complaints against them or to discharge them; but, besides the original motive in appointing, an order to discharge such officers is, in fact, a vote of censure upon the persons who appointed them—that is, themselves.

5th. *Standing Orders, Rules, and Regulations.*—The rules, regulations, and standing orders which courts of justice necessarily have the discretionary power of making for their own guidance in the administration of justice, in many cases have the effect of laws, and at the same time it is considered that magistrates have no power to rehear any case after a verdict or judgment given, or to grant a new trial; and, further, that a very small number of cases indeed can be removed to the supreme courts.

Though the magistrates, according to their views of justice and their various local circumstances, are probably persons fit to form the outline of these numerous little statutes, yet it is to be feared that the stream of distributive justice is sometimes polluted, if not occasionally impeded, thereby.

The standing orders, &c., are generally made or repealed as particular circumstances may require, but by neglect (or it may sometimes happen that there is to be observed something bordering on intention) they by some means do soon fall into such heaps of confusion, that it is nearly, if not quite, impossible to say whether any rule is repealed or still in force. The chairman and the clerk of the peace may at any time make it appear to be in force or repealed, as it suits their views, owing to the confusion of the records, rules, regulations, and standing orders of session; so that it may be truly said that the county magistracy and their officers make laws, (that is, do acts which have the effect of laws,) break laws, trample upon laws, and shield themselves against the laws, behind the laws they make.

For remedy.—Let the sessions' rules and orders be arranged under proper heads, and submitted to the law officers of the Crown, together with the table of fees, (formerly settled by the judges,) before they take effect, on the same principle as prison rules and regulations are now to be submitted to the Crown for approval.

There is probably no good reason why the rules, regulations, and standing orders of the quarter, general, special, and petty sessions, and the mode of appointing all county officers, should not be uniform, or nearly so, throughout England and Wales; and whenever the magistrates consider it necessary to make alterations or additions to the aforesaid rules, &c., those alterations or additions to be submitted for approval to the law officers of the Crown before they come into operation.

6th. *Records and Papers, &c.*—From various causes at different times in ages past, besides at the dissolution of the monasteries, many grants were made of sundry lands, manorial rights, &c., to individuals as well as to bodies corporate. Many of such grants, however, made those lands subject for ever to the support of certain bridges, roads, sea embankments, sewers, water-courses, &c., many of which bridges, &c., for public convenience must (except for those particular liabilities) be supported at the county expense; thus the keeping in repair the county bridges, and the road over and at each end, forms a considerable item in the expenditure of county rates.

The proprietors of those lands, manorial rights, &c., which are liable to the repair of certain bridges, are constantly watching to shift the burthen from their own shoulders, and lodge it on those of the county, which they have a greater chance of doing on account of the confused state of the county records, and the influence large landed proprietors may have over the magistracy to induce at least additions to the usual indolence, not to say neglect, of magistrates in general. When a bridge is out of repair the county may be indicted for not repairing it, and, if the county cannot show that some other party is liable to the repair of such bridge, it must be taken to be a county bridge, and kept in repair at the county expense, though some of these lands, manorial rights, &c., may have been liable to support certain bridges, &c.; yet, on account of the confused state of the county records, the magistrates are unable, however desirous, to protect the county interest; and the magistrates being unable to fix the liability upon any party, it then becomes a county bridge; and it is greatly to be feared that there are several bridges in Middlesex now treated as county bridges, which thirty years ago were not repaired by the county.

In Middlesex there are no books of the county treasurer's accounts before the year 1740; the county rate levied in that year was £1,600

In 1750	2,000
1760	2,400
1770	3,600
1789	4,000

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From the year 1782 to 1801 there are no treasurer's accounts.

	£	s.	d.
County rate levied in 1801	14,339	12	0
1810	28,698	17	4
1820	36,097	13	6
1830	83,059	1	8
1835	66,096	4	8

It is understood that a late officer of this county has in his custody, or power, part, if not the whole, of the treasurer's books, from 1782 to 1801, which are otherwise said to be lost; there, no doubt, is some unwillingness on the part of the individual to deliver them up to the county, but there appears the usual, or at least some, laxity on the part of the magistrates, as I believe no effort has ever been made by them to compel the delivery of these books to the county.

On the 16th of December, 1830, a special committee was appointed to consider the rules and orders of court, and to report thereon. On the 6th of April, 1835, no report having been made, it having been moved for that purpose that a copy of the standing orders of the court be laid before the court on the earliest day that it could be, on the county day such a copy as could be made was laid before the court, and that copy was referred to the original committee, and the magistrate who made the motion of this date was, on another motion for that purpose, added to the original committee. The committee met once, but no report has ever yet been made to the court by that committee. The chairman of that committee told me that the chairman of the sessions had always thrown cold water on the progress of the committee, and that he supposed all other chairmen would continue to do the same.

In Berkshire, and it may be in some other counties, the treasurer *claims the books in which the county accounts are kept as his own property*, and refuses to give them up to the magistrates; this must be a great evil. In Middlesex I do not think any of the officers claim the books used by them as being their own property, except the clerk of the peace fee books and papers; but all the bills and receipts and other documents put together must be very imperfect vouchers as to the county expenditure without books. The clerks of the peace claim the books in which their fees are entered, and all other papers relating to fees, as their own private property. This is most likely the case in all other counties. By this form the magistrates can have little or rather no control over their charges; without an information, which few would dare to give, those who have the means as to expenses to follow up such information do not think it worth their while for what they call trifles, but to poor persons these trifles may be very serious sums.

For remedy.—Have returns (as to the records) made to Parliament on the same principle as the parish registers have been made a few years ago. Then enforce the arrangement of the deeds, papers, &c., two catalogues to be made descriptive of the whole, one copy of which to be kept by the Custos Rotulorum, and another to be kept by the clerk of the peace at the sessions-house. On change by death or otherwise of the Custos Rotulorum, the catalogue to pass to his successor in office; on change by death or otherwise of the clerk of the peace, his representatives to pass the catalogue, together with the papers and documents, &c., therein mentioned, to his successor, who should be required by certificates under his own hand to acknowledge the receipt thereof; one of these to be given to the two Custos Rotulorum, and the other to be endorsed on the catalogue itself.

7th. *Works and Provisions.*—As to the orders for works to be done, provisions to be supplied by contract or otherwise, and passing bills and demands on the county, and recommending the same to the court for payment:

In some cases it is customary for the visiting justices (of prisons or lunatic asylums) to send circulars (and likewise public advertisements) to tradespeople, inviting them to send in tenders (for the supply of certain articles) in a given form by such a day. At an appointed time the parties meet—the tenders are opened, but some person (having a friend in the committee), through some cause or other, *is later than the appointed time*, and by some means or other *his* tender is sent in (although considerably after the time specified for receiving tenders), and is accepted.

The governor or other officer of the establishment, whose duty it is to inspect the goods delivered, and see they are right as to quantity and the quality according to contract, is no doubt a respectable man.

The time having arrived for sending in the bill for the goods delivered in the quarter, the visiting justices having four fixed days for examining the bills, (that is, about ten days after each quarter,) they, the governor, or other officer whose province it is, inform the committee that the goods charged in the said bills have been received, and were in accordance with the contract. The committee then pass the bills and they are signed by their chairman, and they are then forwarded to the committee of accounts at the sessions-house.

It is to be observed that the bills so sent to the committee of accounts are neither accompanied by the contract nor a copy thereof, and it very often occurs that on the face of the bill no prices are given. I have seen bills for several hundreds of pounds sent to the committee of accounts without the signature of any other person than that of the governor of the place. In this committee the several bills being arranged by their clerks beforehand, and the words "Committee of Accounts" stamped upon them, they are then handed to the chairman, who looks at each as it is passed, and hands it to any of the committee, who, observing the signature of the chairman of the visiting justices, generally signs it as a matter of course, without any inquiry or examination, though any magistrate may inquire if he thinks proper; yet, indeed, there is little more in their power to do than to see that the several sums, as charged for the different items, are correctly added together. They then make a report to the court, stating that they have examined the demands on the county, of which they approve, and recommend the court to order payment of the same. I should have before observed that on the first day of every quarter session the committee meet to audit the county treasurer's accounts, and examine the receipts and vouchers in support thereof; they then report in writing the result of their examination, and the court generally allows and confirms these accounts.

For remedy.—All contracts to be by tender, notice being given by advertisements or printed handbills, or both. All tenders to be delivered one clear day before the day the magistrates meet to open and decide upon what tender they will accept. The magistrates not to be bound to accept the lowest tender, but at their discretion to accept the one they think best for the interest of the county. All contracts to be written, and security given for the due fulfilment thereof. No orders for goods of any description to be given by the governor or other officer without authority in writing by at least one of the visiting justices, except in case of particular emergency, on his own responsibility, until the

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next meeting of the visiting justices, when he shall lay the case before them for their approbation, which they shall give him in writing as a justification of his conduct.

All contracts to be numbered from one onward from the beginning to the end of every year, and all bills relating to each contract also to be numbered corresponding to the contract.

A list of prices of all goods delivered under contract to be furnished to the committee of accounts, and *a copy of the original contract*, as soon as it can be made, sent to the clerk of the peace for the use of the committee of accounts, and the original contract itself, together with the original tender on which such contract is made; also a copy of each notice given for sending in such tender: and all bills laid before the committee of accounts for approval shall have annexed to them the *original orders* for the delivery of such goods as contained and charged in such bill, so that the committee may be enabled to detect any error or overcharge.

8th. *The Appointment of Visiting Justices, and the Discharging their several financial Duties.*—The chairman of the sessions and the chairman of the committee of accounts are standing members of the prison committee. The other members (twelve in number) go out by rotation (four on the county day of every quarter session); those members going out are still eligible to be re-elected: the manner of election is this:—the names of the gentlemen proposed are put on a paper by the clerk of the peace, and it is handed round to the magistrates present, and they make a mark against the names of the gentlemen they vote for; and the four that have the greatest number of votes are elected.

Those magistrates appointed are in general the most influential, and some of them the most active, in the county: this looks well at first sight, yet it is liable to abuse.

The same magistrates are frequently elected again and again, and, unless it be magistrates of the same way of thinking, there is no chance of being put on the committee; there are, however, many magistrates appointed on the committee that attend very little—I am informed not above twice or thrice in a year, and those are on important occasions—that they attend to assist their friends, and vote on matters of which they cannot know any thing of the real merits. It has been stated in open court, by one of the visiting justices, that during the summer months one or two were left to work alone as they could; another gentleman, usually in the chair, stated that he had been at the prison, and waited the whole business hours of the day, but not one other visiting justice came on any time of the day: they who do attend soon become acquainted with the governor or other officer, in whom they place that confidence which indolence or some other circumstance may cause, and, instead of examining accounts and matters of contract, his word, I am informed, is generally taken as evidence without further than mere form of inquiry: accounts, &c., thus receive the sanction of those justices without their knowing much about the matter beyond the statement of that officer. In other cases, the committee being of course men of respectability, they take care (at the election) that most of the others are such as are likely to be passive and executive, doing as they are directed, and making little, if any, inquiry for themselves; and, if they are told of any thing doubtful or wrong, they are too gentlemanly, as it is called, and have too much courtesy, to differ in opinion with the chairman or some other influential person; and in consequence works and provisions are contracted for or ordered at the suggestion or will of the governor or some leading person in the committee. So and in like manner the bills and accounts are said to be examined and passed by the visiting justices, and forwarded to the committee of accounts as having been examined: of the manner in which the bills are sent to the committee of accounts I speak to my own knowledge; the passing of them by the visiting justice is what I have been told, and believe to be true; the non-attendance of the visiting justices is matter of notoriety, never questioned or denied by any one.

The committee of visiting justices and other committees (appointed by the court) in their reports to the court frequently recommend something to be done, either in the way of repairs or alterations at the prisons, gratuities, or additional salaries to officers, which occasions considerable sums to be expended; the general motion is, that such report be received and adopted. There is a standing order, it is true, that no sum of £200 or upwards shall be granted without notice to that effect having been given on the county day previous to the grant; but this standing order is got over by motion—the recommendation is for only part of the real projected scheme; so that, when that sum is laid out, the scheme is in an unfinished state, and more money must be advanced, or the sum first granted must be comparatively lost by the project being nearly useless.

The court in general know very little as to the real facts of the machinery employed in expending the county money, or other proceedings of the visiting justices.

The duties of the visiting justices as to prison discipline being already in the most proper hands, no observation is at all needed.

For remedy (as to election of visiting justices), let only the half of the number to be appointed be so appointed by the court, and the half taken from the list of acting magistrates as they stand in rotation on the whole commission: those who are elected by the court not to be eligible for one year on the rotation, (appointments,) and after the service of the rotation appointment to be ineligible to be elected for one year by the court; but if from ill health, distant residence from the prisons, or other causes which may be considered by the court as sufficient ground for them to excuse any magistrate from serving on such committee, such magistrate may be excused accordingly.

On bringing up every report, whether of committee of visiting justices or any other committee, on its being read in full, with all the recommendations contained therein, that a motion to receive such report shall in all cases be a specific motion; if received, then every separate recommendation or suggestion embodied therein to be the subject of a separate motion, and so either adopted or rejected on the merits of each separate suggestion or recommendation, as the justices then assembled may decide.

If the report be received, and one or more of the recommendations contained therein be rejected, then those recommendations that are so rejected may, if the justices then present think proper, be referred back to the committee for reconsideration, and the other parts adopted.

The visiting justices to have authority to expend on their own responsibility any sum not exceeding £20, but for such expenditure to show cause to the court on the first following county day: no other sum of money for any purpose whatever, or increase of salary, or gratuity, to be granted without notice having been given on the preceding county day.

Note A.—Justices' Wages.—The circumstances under which the Act of the 12 Ric. II. c. 10, was made:—It is to be observed that the King had before that time ordered the sheriffs in their several districts not to allow any persons to be returned as members of Parliament but such as should be named by the King himself. When that Parliament assembled, under a pretence of despatch of business,

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twelve Peers and six members of the Commons were selected and appointed for that purpose, with as full powers as the Parliament; and, to make this the more palatable, the King obtained the Pope's Bull. They who could best have opposed the King's despotic measures had either suffered a tragical end or been banished from the kingdom. The King had compelled the Judges to declare that the King was above the laws; one of these Judges, Sir Robert Belknape, after he had signed the declaration, said aloud, that never did any action better deserve hanging than that which he had just done (according to Rapin). Amongst the magistrates of the towns and counties not one was suffered but such as were ready to help forward with all his might the increase of royal power; the King, in the exercise of that power, made such improvident grants, that the Lord Chancellor, Sir Richard Scroope, refused to put the great seal to them; the King took the seal from him, and put it to several patents himself, and then gave it to Robert Braybrook, Bishop of Canterbury.

These magistrates, as may well be imagined, were the mere tools of the despot; and the King, with this Parliament of eighteen persons, not of any very different stamp, saw, no doubt, that the magistracy were composed of such persons as were not only pliable, but also needy men, to whom it was requisite to pay wages for their subsistence, though 4*s.* per diem was such a large sum at that time as betrayed it at once to be not exactly wages, but the lavish boon of a profligate Prince to his sycophants. To these magistrates the great men refused to submit, and by them the poor were oppressed. That they were of that class of persons improper for the magistracy is abundantly evident from the circumstance that, the following year after the Wages' Act, another Act was found requisite, and was passed 13 Ric. II. c. 7, which describes what sort of persons shall be justices of the peace. Unfortunately it happens that the wages still continue, notwithstanding there have been a dozen Acts of Parliament passed upon the subject of the magistracy subsequently.

Note B.—Ineligibility of County Officers.—A district surveyor, having some difference of opinion with a builder, had to go before a magistrate: on the magistrate requiring the surveyor to give an estimate of certain works which were required by the surveyor to be done, the surveyor gave his estimate, on oath, that the expense would be £30; after some bickering the work was ordered to be done as was required by the surveyor, and was done accordingly, the surveyor being required to certify his approbation of the work so done to his own order: he then stated by letter that he would make affidavit on the following day that it (the work) was done agreeably to the order and to his satisfaction. The bill of expenses was then brought in to the builder by the workmen who had done the work, and they were paid accordingly. Some time afterwards the workmen appeared in open court with their statement, bill, and charges, made in the form of an affidavit, and it was then sworn to in open court that the work had been done by them, and that no other person had done any part of it; that they had been paid their full, fair, and just wages for their time and labour; and that all the expense for executing the whole and every part of the works was 3*s.* 7*d.*, and no more.

This circumstance, with other parts of the same surveyor's conduct, was brought before the court who had appointed him to this situation of district surveyor, and was then, as appeared to me, well explained, the clerk of the peace having acted as attorney for the surveyor. The court would not entertain the complaint, and the surveyor continues still in his office. In another department of the county business, the magistrates who appointed him, and sat in judgment on the complaint, paid him about £4,000, in little more than two years, for the benefit of his judgment; one specimen of the cause of the increase of county rates.

Communication from J. H. Strutt, *Esq., Essex.*

I send you the quarterly and annual expenses of this county, as delivered to the magistrates last quarter sessions.

The expense of the clerk of the peace, who is also county solicitor, you will perceive to be very great, though less than last year. His total receipts from the county were, in

	£.	*s.*	*d.*		£.	*s.*	*d.*		£.	*s.*	*d.*
1813,	640	18	8	1823,	1,320	1	5	1833,	1,832	3	2

This is doubled in the first ten years, and increased one-third on that double the next.

You will perceive in 1835 it is only £1,574. 9*s.* 10*d.*, which reduction is chiefly owing to reductions made by a Finance Committee. The fees under several Acts of Parliament should be reduced, the words "usual," "customary," being interpreted to mean one guinea; his fee being, *now* that quarter sessions try so many more cases, owing to their no longer being capital offences, more than adequate for his remuneration, in my opinion.

Communication from L. Lewis, *Esq., Carmarthenshire.*

I would beg leave particularly to call the attention of the Commissioners to the general equalization of the county rate. In the county of Carmarthen it is most unfairly portioned.

Communication from W. Dent, *Esq., Yorkshire.*

The only general suggestion I take the liberty of offering, calculated to effect a retrenchment in the county rates, would be by allowing a printed copy, duly verified, of the poll-book of voters for the Riding, to be the copy to be delivered to the sheriff, instead of a written poll-book, as is now the case. The saving would be by no means inconsiderable.

Communication from J. Crompton, *Esq., North Riding, York.*

The county rate presses unequally in this Riding, much more so than it did a few years ago. Agriculture is at present so depressed, particularly in those districts where wheat is the principal produce, that the valuation which was made when that species of grain sold at a high price is very unequal now, compared to the grazing districts, the light lands, and particularly the townships in the vicinity of our provincial towns. I ought to say that in this Riding there are several extensive districts which

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grow nothing but wheat; that the rents on all are greatly diminished; several, to my knowledge, from 30 to 40 per cent., and some entirely out of cultivation. The rapid change in prices has induced those farmers who had acquired money to give up the profession, and retire upon small tenements in the vicinity of our market towns, and consequently greatly enhancing the value of all convenient land. Indeed of late years all our small towns have been on the increase, and at the present time do not pay a just proportion of county rates.

I would advise the county rates to be levied at, as near as possible, the actual value of the land, &c.; this would prevent much trouble and ill-feeling, as at present all township rates are collected as much under their value per pound as possible, in order to delude the county valuer in case of a fresh rate. An instance of this nature came under my own immediate observation not two months ago. I had a township entirely re-valued and measured; the rates on the different farms were very unequal, and I wished the tenants to collect all their rates according to the new valuation: this they greatly objected to, giving as a reason that, as no townships were rated at their proper value, in case of a new valuation for the county they would be raised unfairly.

Much expense might be taken from the county by making the trustees of the turnpike roads, &c., repair the hundred yards at each side of the county bridges; this was recommended at the quarter sessions a year ago. I attended several meetings of turnpike trusts since, and in one case urged that as our funds would allow us to take the maintenance of those portions of the roads into our own hands, to do so; but I was in a minority, and this will be always the case where a magistrate meets commissioners of turnpike roads,—there always is a jealousy. At all events *our* (i. e. the magistrates') system of letting the repairs of those portions of bridge road is a bad one. We let each bridge separately, and the contractor, in most cases, lives at a distance, and is not able to do the work so cheaply as the surveyor of the road, who has constantly men under him, and who is enabled to procure materials much cheaper.

This subject was discussed at our late sessions, and will be looked into.

Another serious charge on the county is the cost of prosecutions, which, in an extensive Riding like this, several parts being fifty miles from the sessions, comes very heavy.

Indeed, I am sorry to say, frequently cases come before the sessions where the parties are bound over to prosecute by the magistrates (particularly in misdemeanors), when, if the acting magistrate attended at the sessions, he would heartily repent causing so much expense to the Riding. I have known the most trifling cases of this sort cost upwards of £25, when the utmost punishment we could in justice award on the person being found guilty would be seven days' imprisonment. I attribute this chiefly to the clerks of the magistrates, who, all being attorneys, are anxious to meet their friends at the sessions free of expense; and magistrates who do not look cautiously into such cases are very apt to sign what they would not on closer investigation.

Communication from Edw. Hassell, *Esq., Westmorland.*

I beg leave to submit to you for consideration the following items of expense, which appear to belong properly to poor rates, but which, nevertheless, occur in the county treasurer's books as charges on the county rate warranted by law.

Expenses of providing poor persons, retarded on their passage through any parish or place, on which they have no legal settlement, by reason of accident, sickness, or bodily infirmity, &c., with lodging and suitable nourishment and assistance, and also clothing, if necessary, until they can be removed with safety. See stat. 22 Geo. III. c. 83, s. 38. The guardian for the place where such distressed objects shall be to provide in the first instance; then if the settlement cannot be discovered, or shall not be within the county, the guardian to be reimbursed by the county treasurer.

The effect of this clause is in fact to charge the county with the relief of casual poor of a certain description, who are properly claimants on the poor rates.

It seems, moreover, to give an advantage to parishes incorporated which other parishes have not. No claims for reimbursement are made, nor, I conclude, can be made, by parishes not incorporated, the affairs of which are managed by select vestries or overseers.

That parishes ought to relieve sick casual poor there can be no doubt, and provision in such cases has been made by stat. 4 and 5 Will. IV. c. 76, sec. 54. Reimbursement of such expenses out of the county rate seems wrong in principle, and if, on that account, it ought not to be extended to other parishes, it clearly ought not to be continued to incorporated parishes.

Expense of conveying to prison the father of a bastard child, committed for non-payment of an arrear, on an order of bastardy. See stat. 49 Geo. III. c. 68, s. 3.

Doubts have arisen in the minds of some of the justices of the county whether this expense ought not to fall on the parish, for the benefit of which the man is committed, rather than on the county. The person committed seems to them to be merely a debtor to the parish, and committed that he may be compelled to pay his debt to the parish, and not to fall within that class of more general offenders intended by statutes 3 Jac. c. 10. s. 1, and 27 Geo. II. c. 3, the latter statute assigning the reason for charging counties with the expense of conveying offenders to prison to be, "that the taxing the parish where such offender was taken to pay such charges is a great discouragement to parishes to take offenders." The discouragement could not be supposed to apply in the case where the parish had a direct interest in the committal of the offender.

To other justices it appears that the expense is a legitimate charge on the county; that the neglect or refusal to pay the arrear is an offence sufficient to bring the charges of committal within the statutes above referred to; that the person is committed as an offender more than as a debtor, the imprisonment being for a definite time of three months, and having hard labour attached to it; that the Court of King's Bench has decided that a person committed for arrears of bastardy cannot take the benefit of the Insolvent Debtors' Act, because the sum he owes is of the nature of a penalty rather than a debt. As there seems to be no power to commit in these cases under the New Poor Act, this question ceases to be of the importance it used to be. Still there will no doubt continue for some time to be committals under the old Acts, which are still in force, as to ordersmade before the passing of the New Poor Act, and it would be desirable to have the question decided whether the county or parish ought to defray the charges of such commitments.

Communication from J. Hamerton, *Esq., West Riding, York.*

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In answer to yours, addressed to me as a magistrate for the West Riding of Yorkshire, I will most willingly give you all information in my power. The subject of the magistracy has often engaged my attention, but, not being in Parliament, I have had no opportunity of publicly making known my sentiments. You now ask me to suggest any improvements which may occur to me. My residence is in the west division of Staincliffe wapentake, and Settle and Hellifield are the places where I have met other magistrates in petty sessions; but for a long time I have ceased to join them, feeling that I could do no good, being opposed by self-interest and adverse politics.

I allowed myself to be nominated a magistrate by the late Lord Fitzwilliam, from a wish to make myself useful in my neighbourhood; but my practice at the bar, and my experience as a magistrate, convinced me the services of magistrates were not always gratuitous, or so in name only, and that no system was so imperfect as the magistracy of England, consequently none so much in want of reform. To be a magistrate, and administer the law of England, it is not considered requisite to have the slightest legal knowledge to be empowered to consign his fellow-men to a gaol, &c., and all responsibility is little more than a name; since, if a magistrate will only keep his own counsel, it is next to impossible to prove any corrupt motive, without which all attempts are vain. If any one is injured by a magistrate it is the poor man; and how can it be expected that any one so circumstanced, with slender means, should engage the expensive services of an attorney, and enter upon a lawsuit with so powerful an antagonist as a justice? I have fought many successful battles for the poor man when oppressed, but to do this I have thrown myself in collision with those of my own rank of life, with whom I could have wished to have lived on terms of peace and good-will; these are sacrifices which few gentlemen will, and can reasonably be called upon to make for the public good.

Respecting clerks' fees, when I first acted I found there was no table of fees of modern date, and the clerks imposed and charged almost what they chose. I wrote to Lord Harewood, as Lord Lieutenant, and pointed out the existing state of things, to which his Lordship paid immediate attention, and in one of his letters he mentioned having had a communication with the clerk of the peace on the subject, and he had learnt that some years ago there had been an attempt made to regulate the clerks' fees, but, in consequence of the exorbitant demands of the clerks, no table was drawn out. In my answer I stated I did not know what right any clerk had to interfere; all which was required was, that a committee of magistrates should make out a list of fees, and submit it to the judge of assize for validity. I at length got this effected, and have enclosed you a copy, having had a number struck off, with the Act of Parliament at the bottom, stating the penalty attached to any overcharge. This table of fees I find is but a little guide, and the penalty in the Act but a little check. Who is to bring an action for the penalty?—the poor man again, by employing an attorney. This Act of Parliament I consider as a dead letter. I did once draw up a short Act of Parliament, and submitted it to Sir George Strickland, one of our members, to lessen the penalty, and give a summary mode for the poor man to check the exorbitant demand of the clerk, as well as the justice; for when it happens, as is the case in my immediate neighbourhood, that the clerk is the justice's steward, and who it is suspected has nothing except what the justice can throw in his way, I am not far wrong in supposing the justice interested in promoting the receipt of large fees; and none so well paid as some of the unpaid. On this subject Sir George spoke to several members respecting the probability of passing such a Bill through, in which he did not receive great encouragement, and it was never undertaken. If a poor man, or a farmer, was to oppose the imposition of the clerks, it would be opposition to their worships, whose favourite or steward was their clerk, and I need not add in what various ways a justice might have it in his power indefinably to harass a man who comes before him, if he is so disposed; and all farmers come before them at different times, as overseers, surveyors of roads, constables, &c., in addition to any private business of their own. I did appoint a clerk some years since; he is dead, and I never made another appointment. I therefore cannot fill up your paper as to any receipt of fees, and I should like to know what return is made for the eastern division, held at Gargrave.

Weights and Measures.

With respect to surveying of weights and measures, I have enclosed you a paper I thought proper to publish, having in vain endeavoured to bring the magistrates to a proper consideration against the interest of their clerks, and not even this had the desired effect. At length the magistrates for the whole Riding thought proper to form a finance committee, to endeavour to reduce the expenses of the Riding, and in their report they mentioned the great and unnecessary expense of sending the surveyors over this comparatively uninhabited country four times every year; whereas in all other districts once, and at the most twice, was considered sufficient. At the meeting held following the report made from the finance committee Lord Wharncliff expressed his surprise that it should be persisted in, and condemned it severely. After this rebuke in public the magistrates gave way, and they (the surveyors) are only sent twice every year.

I will finally add for your information who these clerks are,—Messrs. Hall and Wildman. The former was a great favourite of the parson of the parish, who is a magistrate. He was, at one time,

Overseer of the Poor,
Churchwarden of the Parish,
Constable,
Clerk to four Justices,
Surveyor of Hawkers' and Pedlers' Licences,
Surveyor of Weights and Measures.

The chief constable of the district dying, this clerical magistrate proposed Mr. Hall for that office also. This was more than I could submit to, and he was not appointed to that office; and he holds now only his clerkship and the surveyor of weights and measures, restricted to two surveys in the year.

Mr. Wildman is clerk to Mr. Wilson, and his son

Surveyor of Weights and Measures,
Chief Constable of Staincliffe East,
And, finally, Steward to Mr. Wilson.

I was applied to some years ago to subscribe to an association for the prosecution of felons, and I declined from this principle,—that under ordinary circumstances the prosecutor is entitled to his costs from the county on application at either the assizes or the sessions. Again, I was, and am, in hopes that there might be some office instituted as a public prosecutor, to determine what cases

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should be prosecuted, and not left to the decision of an ignorant magistracy. Two years ago a man was sent to York Castle, to take his trial for murder, from this neighbourhood. His trial came on, and scarce a particle of legal evidence was offered. He was acquitted in ten minutes, and this bungling work cost the Riding between two and three hundred pounds.

Paper referred to in the preceding Communication.

WEIGHTS AND MEASURES.—Extracts from the Treasurer's Accounts of the West Riding of the County of York.

	UPPER AGBRIGG, Surveyed once in every Year.						STAINCLIFFE AND EWCROSS, Surveyed *Four* Times in every Year, with only Two or Three Exceptions.											
	THOMAS PITT.						SAMUEL HALL.						ROBERT WILDMAN.					
	Penalties.			Salary.			Penalties.			Salary.			Penalties.			Salary.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
							6	15	0				17	15	0			
							5	15	0				3	0	0			
							9	15	0				4	10	0			
From April 1822,							2	10	0				13	15	0			
to April 1823.	81	7	10	85	17	0				24	15	0	145	0	9	39	0	0	104	6	6
							10	7	6									
							3	5	0				4	10	0			
							2	15	0				8	5	0			
From April 1823,							3	10	0				11	15	0			
to April 1824.	136	15	0	71	7	4				19	17	6	141	17	7	24	10	0	112	12	0
							8	15	0									
							8	5	0				7	15	0			
							7	5	0				13	10	0			
From April 1824,							13	0	0				13	5	0			
to April 1825.	92	15	0	67	4	0				37	5	0	142	7	6	34	10	0	119	7	6
							3	10	0				8	10	0			
							10	5	0				5	10	0			
							2	15	0				11	2	6			
From April 1825,							3	0	0				8	5	0			
to April 1826.	82	6	3	85	11	6				19	10	0	138	12	0	33	7	6	118	12	9
							0	7	6									
From April 1826,							4	5	0									
to April, 1827.	3	0	0	9	0	0				4	12	6	51	9	0	6	7	6	46	8	2
							11	12	0									
							3	0	0				10	0	0			
							6	5	0				10	17	0			
From April 1827,							13	15	0				5	0	0			
to April 1828.	142	2	6	80	6	6				34	12	0	135	3	11	25	17	0	117	18	0
							4	10	0				4	15	0			
							6	5	0				4	5	0			
							6	5	0				2	5	0			
From April 1828,							2	5	0				3	15	0			
to April 1829.*	133	19	9	71	18	6				19	5	0	133	15	6	15	0	0	116	9	0
							1	15	0				5	10	0			
							13	10	0				4	1	0			
							7	10	0				5	5	0			
From April 1829,													3	15	0			
to April 1830.	127	1	0	80	14	0				22	15	0	102	6	6	18	11	0	115	12	0
	799	7	4	551	18	10				182	12	0	990	12	9	197	3	0	851	5	11
	551	18	10										182	12	0				197	3	0
	247	8	6										808	0	9				654	2	11
																			808	0	9
																			1,462	3	8

By the above statement it appears that the treasury is benefited by Mr. Pitt's services £247. 8*s.* 6*d.*; when during the same period the treasurer has expended to pay to Messrs. Hall and Wildman £1,462. 3*s.* 8*d.* However inharmonious to the ears of some the term Reform or Improvement may be, it nevertheless seems that some alteration in this instance is imperatively required; for out of the wapentakes of Staincliffe and Ewcross there is only one opinion among the magistrates.

Communication from the Rev. W. HOCKIN, *Hayle.*

I cannot suggest any improvement to be made affecting the county rate; but there is a head of expenditure in parish rates which, I think, seriously calls for improvement, and which is considered by all the parish officers of this division as a serious grievance. I allude to the weekly charges made for the keeping of pauper lunatics in the Lunatic Asylum of this county, the keeping of one pauper lunatic at the Asylum equalling the maintenance of a widow and six children or more in a workhouse. So much a grievance indeed is this charge considered by the overseers of the poor of many parishes, that the Act for the safe keeping and sending pauper lunatics to the Asylum has been wholly defeated, the overseers obtaining from their parish surgeons certificates that they have no pauper *dangerous* lunatics; after which cases have been brought before the magistrates of poor wretches entirely deranged being kept chained in an out-house.

* The magistrates, having many years ago remonstrated against this most extraordinary expenditure, tried, but in vain, to rectify it. Again, at Pontefract sessions, in passing the treasurer's accounts, this subject was mentioned, and the following entry made on the chairman's notes:—That "a strong recommendation be transmitted to the magistrates within the division of Staincliffe and Ewcross not to allow the surveys of weights and measures to be taken more than twice every year." This recommendation was sent to all the magistrates; and the accounts underneath, the following year, will show what attention was given to it. The old practice has been persisted in, with only one exception, which can easily be accounted for.

Communications respecting Treasurer and Accounts, general Management, &c.

Further Communication from M. H. Court, *Esq., Castleman's.*

General Suggestions for the better future Administration of the Receipt, Expenditure, and Account of County Stock.

The magistrates in quarter sessions to select and to appoint from time to time, as they shall think fit, the principal banking houses (either one or more), where the several quarter sessions for the county may be holden, to be the county bankers.

The bankers will receive from the clerk of the peace detailed lists of the assessments against each hundred, and of the parishes within each hundred; and they will grant to the high constables of each hundred receipts (without stamp) for all sums which the high constables may actually pay to them on account of county rates or other public purposes. In case the full amount of the assessment against each hundred should not be paid in, the bankers will receive from the high constable a list of the parishes making default, and will note, on the receipt given by them, the particulars of such defaulters, so that the whole assessment will appear under account as actually paid or in arrears.

The bankers will, in like manner, receive from the clerk of the peace the particulars of all sums which they are to receive for fines, for the maintenance of borough prisoners, under-sheriffs, or other occasions. They will receive nothing on account of county stock, excepting under authority of the clerk of the peace or by order of two justices, and they will grant receipts (without stamps) for all sums thus paid into their charge.

The bankers will discharge all bills or orders for payment which are now or hereafter may be sanctioned by Acts of Parliament, to which the authority of the Courts of King's Bench or quarter sessions, in cases of the prosecution of prisoners, may be attached; and in all cases when such bills may be sanctioned by the order and signature of one or more magistrates of the county.

The bankers will discharge the county gaol bills and salaries under specific sanction of the signatures of the visiting justices for such gaols, countersigned by the clerk of the peace.

The bankers will in all cases take receipts from the parties to whom payments may be made by them, either by acknowledgment to the account itself, or on a separate stamped receipt, as circumstances may appear to demand.

The bankers will deliver to the clerk of the peace a quarterly detailed account of each item of receipt and expenditure, together with a separate list of vouchers for the disbursements; which vouchers being delivered to the clerk of the peace, he will acknowledge the receipt thereof by affixing his signature to such list of vouchers, which will be returned to the bankers as their acquittance for the full amount of vouchers comprised in such list.

The bankers will attend at every assizes and quarter sessions of the county, for the purpose of conducting the receipt and payment of all sums which the business of those courts may render necessary.

The bankers will, on their appointment, provide sureties to the amount of one-half of the average quarterly levy of county rates to be received by them.

The bankers, in recompense of their discharge of these duties, will receive a commission of per cent. on all sums received by them for the use of the county stock.

The clerk of the peace to be charged with the responsibility of keeping the accounts of the county, and of providing that all sums which ought to be received are duly credited to the county.

The clerk of the peace, with reference to the detailed accounts of receipts and disbursements which he will receive from the bankers, at each quarter sessions will lay before the court a detailed statement of the accounts of preceding quarter, in which shall be made to appear not only the sums which may have been actually received by the bankers, and the particulars of such receipts, but also a particular account of all arrears due to the county, and noting in the disbursements, under their respective heads, the particular uses to which they have been applied; showing the balance which remains in the hands of the bankers, as well as the balance of arrears due to the county.

This account, together with the bankers' detailed account, accompanied with the vouchers, being exhibited in court, and being approved and passed by the court or the finance committee, will be signed accordingly, and these several accounts so passed shall be retained as county records in deposit with the clerk of the peace, and are to be open to inspection at any time on requisition of one or more magistrates of the county.

The clerk of the peace will cause to be published in the county papers a copy of the quarterly statement delivered into court by him within fifteen days after the termination of each sessions, and at the same time he will make publication to the county of the amount of assessment which the court had ordered to be levied on the county for the ensuing quarter.

The clerk of the peace will submit to the court at each quarter sessions an estimate of the probable amount which will be requisite to meet the demands of succeeding quarter, taking care so to regulate such estimate, that a larger balance may not be continued in the hands of the bankers than the amount of one-fourth of an average quarterly assessment, in consistency with the Act of 12 Geo. II. c. 29, s. 10.

The clerk of the peace will on no account personally receive or disburse money on account of the county, all such receipts and payments being made by the bankers.

The clerk of the peace, as far as may lay in his power, will cause all the enactments of the Legislature, and all orders of sessions not inconsistent therewith, which relate to the receipt and expenditure of the county stock, to be duly enforced, and he will consider it his especial duty to bring under notice of the quarter sessions any infraction or neglect which may come to his knowledge or fall under his observation.

The clerk of the peace will receive a commission of per cent. on the sums received for the county stock in recompense of his discharge of the duties thus allotted to him, and of all others which may become incidental to its performance.

Communications respecting Preservation of the Peace.

Communication from Captain RAYNER, *Uxbridge.*

In reply to your letter of the 6th ult., inquiring for the rules for the government of a given number of gentlemen who have enrolled themselves for the peace of the neighbourhood here, I beg to state that they are those of military law, similar to the militia, &c., the officers being commissioned by the Lord Lieutenant of the county. The objects for which they are associated are fully explained in the paper marked A, which, with others, I enclose, trusting they will clearly develop the objects as well as the utility of the corps to which I have the honour to belong. Should not, however, the enclosed documents be sufficiently explanatory, I shall be happy to reply to any future inquiries. It may be as well to state that the corps has been summoned to attend at several incendiary fires which have unhappily occurred in the neighbourhood, and that it has received the thanks of the individuals to whom those services have been rendered.

Uxbridge, Jan. 9, 1836. WILLIAM RAYNER.

(A.)

Paper referred to in the last Document.

At a numerous and highly-respectable meeting of the inhabitants of the town of Uxbridge, held at the White Horse inn, on Tuesday, the 28th day of December, 1830, T. H. Riches, Esq., in the chair, it was resolved unanimously,

That this meeting views with pleasure and confidence the active efforts of his Majesty's Government to relieve all our suffering fellow-subjects, to enforce rigid economy and retrenchment in every branch of the public expenditure, to reform all defects and imperfections which, by time or otherwise, have crept into our laws and institutions, to afford protection to the peaceable and well-disposed, and to punish the guilty.

That it appears to this meeting to be the paramount duty of the respectable inhabitants of this town to unite in the formation of a corps of volunteer infantry, to aid the civil authorities in enforcing the laws, and in the preservation of persons and protection of property from violence and rapine.

That an application having been made to his Grace the Duke of Portland, as Lord Lieutenant of this county, and his sanction having been obtained to the measure, a corps be accordingly formed, to be called the Uxbridge Volunteer Infantry, and to consist of two companies.

That a committee be formed to manage the dress and equipments of the corps, and to receive subscriptions for defraying the expenses of those who would find it inconvenient to equip themselves.

That, to prevent misapprehension, this meeting distinctly declares that it is both their duty and inclination to assist their poorer neighbours, and to use all their interest and influence to obtain for them, by peaceable and lawful means, all that they are entitled to on the score of either justice or liberality. And they further state that those will be considered enemies by the corps, who resist the legally constituted authorities, or break the laws by open violence, under any pretence whatever; and all those will be their friends, who show that they fear God, honour the King, and love their country, by uniting hand and heart to uphold those excellent institutions which have deservedly rendered Great Britain so long the object both of the pride and emulation of the world.

THOMAS HURRY RICHES, Chairman.

Valuations.

Communication from H. W. WILSON, *Esq., Leicestershire.*

The inequality and severe pressure upon the land of the sums levied by parochial assessments being proved by the Report of the Commissioners of County Rates, whereby it appears that the total money levied for poor and county rates throughout England and Wales for the year ending the 25th of March, 1833, was £8,606,501 9*s.*, of which £8,070,147 18*s.* was contributed by land and dwelling-houses; and the justice of a more equal distribution throughout the community being recognised by the assistance which has been given from the public purse with regard to the expense of criminal prosecutions, I will not enlarge further on these points, but call your attention more particularly to the *county of Leicester*, which is a manufacturing as well as an agricultural one; the number of manufacturing labourers exceeding that of the agricultural, and the former being more generally the objects of parochial relief than the latter.

The pressure is more unequal than in any other county, and has long been a subject of complaint* with the farmers, and not without foundation, as the Parliamentary Reports prove. By the Abstract of Returns laid before the House of Commons, the proportionate sums levied by assessment on different descriptions of property in the year ending March 1833, appear as under.

Land	Dwelling-houses.	Mills and Factories.	Manorial Profits, &c.	Total.
£108,330 3 0	£29,551 7 0	£783 3 0	£638 14 0	£139,303 6 0

Whence it appears that of a total sum of £139,303 6*s.*, levied in that year by parochial assessment, no more than £783 2*s.* were contributed by mills and factories—the only species of manufacturing property at present amenable to the rate.

From the Return of 1826, as under, it appears the sum levied on land and houses has increased, while that on mills and factories remains nearly the same; notwithstanding the value of land has much decreased, and that of factories considerably increased.

This increase is proved by the Population Returns.

Leicestershire—Families employed.

	In Agriculture.	Trade.	Others not included.	Total.	
1821	13,027	20,297	3,481	36,805	This from Marshall's Tables, not having the Parliamentary Tables now before me.
1831	12,352	22,984	6,806	142,42	

By the returns of British manufactured woollens exported, the value of exports of hosiery from Leicestershire, 1833, was £159,400, which is greater than the total exports of hosiery of the whole kingdom any previous year, that total being in 1832 £152,810, and in 1821 only £59,857.†

* Great complaints from the town of Hinkley were made to the magistrates at the last quarter sessions of the unequal share that town bears.

† Tables of Revenue, Population, &c., 1834, Part iii., p. 414.

	Land.	Houses.	Mills and Factories.	Manorial Profits, &c.	Total.
Return, 1826	£93,882	£17,634	£782	£310	£112,608

Several individual parishes of Leicestershire furnish instances where the burden upon the land for the support of paupers has approached nearly to confiscation. In these instances the demand has been occasioned by the pressure of a manufacturing population upon a rate levied exclusively on the land.

This statement is confirmed by reference to the Report of the Assistant Commissioner of Inquiry into the Poor Laws (Mr. Pilkington) who visited the county in 1833.

He observes,—"In most of the parishes throughout Leicestershire the poor-rate is very high, in many places equal to 10*s.* in the pound; in some to 12*s.*, 14*s.*, and 20*s.*; and even the land itself has become insufficient for the demands of the pauper."*

Page.	——	Acres.	Agricultural Labourers.	Manufacturing Labourers.	1832, Rates on Land.	On Houses.
95	Hinkley . .	3,190	119	692	£2,351	£1,411
98	Wigstone . .	2,780	69	301	£2,692	£233
414	Ansty . . .	† 1,400	27	148	£508	£54,176

† Of which 700 are extra-parochial, therefore not rateable.

Many instances of almost equal injustice might be adduced, as the following calculation with regard to twenty-four parishes will show: they comprise 44,596 acres, contain 1,121 agricultural labourers, 3,513 manufacturing labourers; rates on the land, £21,698. 13*s.*; rates on houses, £1,411. 19*s.*, (not being the property of manufacturing capitalists who live in large towns)—total £23.110. 2*s.*

Such was the state of things in 1832, though better now: there is no security that the same demands may not again be made upon the land, should a depression of the manufacturing interest take place. The last resource of the manufacturing poor is still upon the land.

In Parkinson's Survey of Leicestershire, 1809, it is stated, page 49, "The poor-rates in the farming and grazing districts are low, not exceeding 1*s.* 6*d.* to 2*s.* in the pound; in the manufacturing districts enormous."

The manufacture is that of worsted stockings. The labourers engaged in it are mostly settled by apprenticeship to masters who were themselves not rate-payers, or rate-payers to a very small amount, in the country parishes, where they work for the capitalists residing in the large towns, so long as their labour yields a profitable return to the employers, but liable at any moment to be turned adrift, to be maintained by the occupiers of the land, who in no case can claim advantage from their exertions, and have no work for which they are fit; while those who have made a fortune, perhaps, by their labour remain exempt from all contribution to their necessities.

The number of persons directly and indirectly employed in the frames during the year from July 1832 to 1833, was—

Above the Age of 18.	Under 18.	Total.
15,076	12,942	28,000

Number of frames and looms employed in 1833—14,000.

These are for the most part the property of the employers, their value from £5 to £12, and yield a clear annual rent to the owner of about £2 on the average per annum, being thus a local visible property, yielding a profit. There are those who think them a legal subject of assessment. Be this as it may, there are great practical difficulties in the way of such assessment, which it would be desirable by some legislative enactment to remove. Of the justice and expediency of rating such frames, which contribute so much to the burdens of the parishes in which they are placed, without contributing one farthing either to the poor or county rate, there can be no doubt; but unfortunately they cannot exactly rank with the cases which have been decided regarding machinery, such as Rex *v.* St. Nicholas, Gloucester; Rex *v.* Hogg; the Rochdale Water Works, or Birmingham Coke Company; since they do not belong to the owners of houses in which they are placed, and, therefore, do not increase the rent or value of these houses, but are liable to be removed at any time. This obstacle does not prevent the practicability of the measure; since the injury to the frames by moving them, and the consequent loss of such while unemployed, would be more objected to by the manufacturer than the payment of the rate. Besides, particular towns, and even large villages, have their peculiar description of works; it would, therefore, not be his interest to put his men wholly out of employ by removing the frames, as he would find a difficulty in procuring fit hands elsewhere. I am informed there never has been a greater deficiency of employment than to put one-seventh of the frames out of work, and that never of above three months' duration. An average allowance, say one-tenth, might be made to meet this; a return of them might also be made in the same way as the various articles are to the assessed taxes, or the collector might have the power to enter the houses to ascertain their number.

When we consider the various objects, national and local, for which county rates are levied, not for the benefit of any particular class, but for that of all his Majesty's subjects, it may not be too much to expect that the Legislature, in its wisdom and justice, may be induced to extend the principle lately adopted in them, so that the charge now almost exclusively borne by the land shall be shared in a greater degree by all parties deriving advantages from them.

Communication from J. Davies, *Esq., Merionethshire.*

I made it my business to investigate the county rate as to payments made by each parish to the treasurer: the result was, there was a very great inequality. I found the slate quarries, with a clear

* Appendix, Part ii., p. 83.

Communications respecting Valuations, general Management, &c.

profit of at least £20,000 a year, did not contribute anything; all the improvements and buildings for the last 100 years, although rated to the poor, the parishes pay the same quota in county rate as they did then; two neighbouring parishes, one is rated to the poor at £1,845, the other at £858, both pay the same amount to the county stock. With respect to the expenditure, there are two surveyors, one for each division; the person who holds that situation in the northern part of the county is allowed to be inefficient, and quite ignorant of his business, and will certify any work, be the charge ever so extravagant. We have two shire-halls built within the last twenty years, in a county with a population of 34,500. Bridges are also very expensive, and particularly the fence within a hundred yards of each bridge is such that ought not to come out of the county rate. I trust that an equalization of this rate will come under the consideration of the Commissioners appointed to inquire into County Rates. I submitted, but without success, that, instead of the present antiquated mode of paying the county rate, it should be collected on the same principle as the poor's rate; and in an assessment of 1*s.* in the pound, it would be upwards of £180 more than is now paid. Merionethshire is rated for county purposes at £24,000. It is rated for the poor at £31,600, or thereabout. Titheable property has been exempted from paying county rates until a few years, and there are several parishes where clergymen are still exempted.

Communication from M. Swabey, *Esq., of Langley Marish, Bucks.*

In the county of Bucks, where many parishes are rated too low, a proposition made by me at the sessions for a new valuation, or at least a committee to inquire into the propriety of such a step, was refused by a great majority of the magistrates, though backed by petitions from eleven parishes in the southern part of the county.

There have been many new enclosures since the last valuation, and in some parishes the value of the property has declined.

There is only one house of correction in Bucks, situate at Aylesbury, and making part of the same building with the common gaol, without any division between them, and under the same officer, as gaoler and governor of the house of correction. The result is a want of proper classification and discipline, and the necessary absence of the chief officer of both, when he conveys the convicts to their place of embarkation.

The distance from Eton to Aylesbury is nearly thirty miles, to which place prisoners for trial, and all defendants convicted, are necessarily sent at an expense of £1. 17*s.* 6*d.* per head, without including a guard, which is required when there are numbers of them. The effect of this is, unwillingness in prosecutors to lose the time required to go so far, and an occasional unwillingness in magistrates to convict on trifling cases and put the county to so great an expense.

I think a house of correction is required at Beaconsfield, and one for the same reasons at Newport Pagnel, for the southern part of the county; and some secure lock-up houses still nearer to Eton; because, in cases of magnitude, as arson or murder, where there is not sufficient evidence at the first hearing to commit for trial, the prisoner is not in practice sent to Aylesbury till his next examination, but is left in the hands of the constable, at a public-house, with every risk of escape, or conveyed without legal authority to a gaol belonging to some neighbouring jurisdiction.

Extract from Return of the Rev. C. V. Le Grice, *Penzance.*

Permit me individually to express a hope that it may be recommended (and enacted, if possible) that at our petty sessions *one* clerk should be employed, and not each justice employ his own. The old custom has many inconveniences, but unless supported or commanded by law, we find it difficult to abolish old customs.

Extract from a Report of a Committee of Magistrates appointed to inquire into the general Expenditure of the County of Norfolk.

Conveyance of Prisoners

For trial, examination, and sentence, in both prisons, is a heavy charge.

	£.	*s.*	*d.*
At Swaffham	130	9	9
At Walsingham	155	19	8

And again your committee must take notice of the great difficulty the gaoler had to explain many of his charges. It seems he keeps horses at his own expense, and that when he removes a prisoner for trial, sentence, or examination, he charges the cost of post horses; also ten shillings per day for himself, and half-a-crown per night when absent. The extent of the charges may be best understood by stating two of them.

	£.	*s.*	*d.*
Conveying three prisoners to Norwich sessions .	7	18	0
Conveying one to Walsingham	1	14	0

At Walsingham the keeper charges the actual expenditure, and produces *vouchers* for the same. His charge is only 7*s.* per day, and 1*s.* per night. Your committee would recommend that on conveying prisoners for examination, the order should be signed by the committing magistrate for the usual constable's allowance; and the expense of conveying prisoners for trial and sentence, which comes under the cognizance of the visiting justices at each prison, ought not to exceed that allowance unless good cause to the contrary can be shown. The less frequently a keeper is taken from his prison the better; and whenever the constable of the parish can remove a prisoner for examination, it is advisable he be employed.

The allowances to prosecutors and witnesses are a third more at the assizes than the sessions. Uniformity is desirable, and it is advisable that a committee be appointed to examine into the allowances, and if necessary to alter them.

	£.	s.	d.
Conveying offenders to prison . . .	771	17	5

The allowance in this county somewhat exceeds that in many others; but this being the principal remuneration constables have for the performance of their duties, no alteration is suggested as to the amount. But in the forms, as at present printed, mistakes are often made, through the carelessness of the magistrates' clerks. A little alteration would prevent this, and this may be referred to the committee above-mentioned. Clerks often charge a fee from the constable of 1*s.* for the order; this is illegal; by the 27 Geo. II., c. 3, such "order is to be given without fee or reward."

Clerk of the Peace.

The bill of the clerk of the peace amounted to £897. 6*s.* The charges in it may possibly be all perfectly correct, but many of them appear to be unnecessary, some such as ought to have been charged to individuals, and others excessively high. By statute 57 Geo. III., c. 91, "Justices at sessions are desired to make a table of fees to be taken by the clerk of the peace, and if necessary from time to time to alter such table of fees, which, after receiving the sanction of the judges at the following assize, is to be hung up in a conspicuous place in every court-house where the sessions are held." Such a table does not appear ever to have been made in this county.

High Constables.

No charge under this office appears in the county expenditure. Your committee, however, are informed that the allowance claimed for the performance of the duties differs throughout the county; some claiming 7*s.* a quarter from each parish in their respective hundreds, others 5*s.* They recommend this to be referred to the above-named committee, who, if necessary, should draw up a table of fees to be taken by the chief constables throughout the county; and they also advise that the table of fees taken by the magistrates' clerks in this county be referred to the same committee.

The accounts of each department appear, in the opinion of your committee, to require to be specified more minutely.

They have expressed their opinion on the advantage of quarterly and minute statements of the expenses of each prison, and suggest—

That the fee of the clerk of the peace on all orders of payments should be kept as a separate charge, and not (as now) added to the salaries and tradesmen's bills.

That the clerk of the magistrates at every special or petty sessions should record every fine set or imposed thereat, and payable directly or indirectly to the county treasurer, in a book containing the following heads: that is, name of offender, name of complainant, offence, when convicted, amount of penalty, costs, sum paid under conviction, sum payable to the county treasurer, sum paid to the county treasurer, signature of convicting justice or justices; and that seven days at least before the commencement of every general quarter sessions, a copy of such record be transmitted by the justices' clerk to the county treasurer, together with the fines so payable, and also any fees that are due to the clerk of the peace.

Your committee are of opinion that the method of publishing the present annual statement of the expenditure is defective, being only a general abstract; and they recommend that in the annual account every item of receipt and expenditure should as far as possible be specified, and have annexed to this their report, a form of such annual account, which they have adopted from a comparison of the like accounts published in several counties, and consider, should such form be adopted, there will be no necessity for publishing the present triennial tables.

Communication from W. Hexter, *Esq., Eton.*

As chairman of the petty sessions of the hundred of Stoke, in the county of Bucks, I beg to call your attention to the accompanying statement of the situation of the places of confinement within it, in hope that you may suggest some means of remedying the very great inconvenience the several parishes are labouring under.

Return of Parishes in the Hundred of Stoke, in the County of Bucks, with their several Places of Confinement, where any, for Offenders.

Parishes.	Population.	Situation of Places of Confinement.	Remarks.
Datchet . . .	802	In a public road . . .	Accessible to any person.
Denham . . .	1,169	Do.	Do.
Eton	3,232	In a yard belonging to a beer-house.	Accessible to any one frequenting the house; rented by the parish; and being on premises in other occupation, the peace-officers have frequently experienced much difficulty in obtaining access to it at night.
Horton . . .	804	In the public street at Colnbrook.	Accessible to any person.
Langley Marish .	1797	Do.	Do.
Iver	1870	In the public street . .	Do.
Upton cum Chalvey	1502	In the workhouse yard .	Accessible to the inmates of the workhouse; rented by the parish, and will be given up when the central workhouse is built.
Wyrardisbury . .	682	Attached to the workhouse	Will be disposed of under the Poor Law Amendment Act.
Farnor . . .	391	None	When there are any prisoners, they are taken either to a public house, and there guarded at night at the expense of the parish; or to the constable's private residence.
Hedgerley . .	187		
Stoke Poges . .	1,252		
Wexham . . .	181		

It has frequently happened that persons remanded for further examination have been lodged in the gaol of a neighbouring jurisdiction, there not being any secure place of confinement within the hundred. A short time ago there were seven persons confined there for re-examination upon charges of felony.

Communication respecting County Council, Finance, general Management, &c.

Further Communication from J. J. BULKELEY, *Esq., Berks.*

I beg to suggest a few memorandums for forming a plan by which the rate-payers generally may have control over the receipts and expenditure of the county rates, &c.

I am of opinion that it may be conceded to them with many advantages, in not only bringing those most interested to a full knowledge of these matters, but in making use of that local knowledge which the guardians already possess or would speedily attain to, for so useful a purpose, and which would conduce most essentially to the success, by good management and economy, of the important subject you have under consideration.

The Board of Poor Law Commissioners for England and Wales, with little additional trouble to them, might also be made available for this purpose. In fact, they are in a great measure conversant with the subject in their superintendence of the receipts and expenditure of the poor rates from which the county rates are derived.*

I am aware of objections to this. It is said that too much influence is given in thus establishing a central controlling power according to the French system.

This is not the case: their system is of a centrifugal nature, if I may so term it, everything emanating from the government, and liable in all the appointments to a fluctuating influence.

The system with us is by no means liable to this serious objection, but is founded on the gravitating, or, as it may be termed, centripetal, which frees it from the alleged objections.

It is, I conclude, already proved that it would derive all those great advantages by control, order, regulation, and improvement by comparison (as in the administration of the new poor laws), and without which it will be impossible perfectly to succeed in this case.

You will perceive that in the suggestions offered to your consideration I have had in view the establishment of a rural or county police.

I am inclined to think that a force may be so constituted and established as to render it fully effective for the purposes of justice, and that it may also be made available for the performance of many of those onerous (unpaid and paid) duties of overseers, high constables, constables, bailiffs, surveyors of parish roads, &c., &c., without an increase of county expenditure, and certainly with much improvement in the proper and uniform discharge of several of those duties, and with great convenience to the public, especially to those who are reluctantly obliged to discharge these duties.

I shall now proceed to enter into some detail for carrying into effect, pursuant to your request, "the plan of a county council" (or committee of county finance), composed of "persons chosen from the Board of Guardians," and "magistrates ex officio," and shall accompany it with a plan for establishing a county constabulary police.

It is necessary to premise by stating that the rate-payers annually elect guardians who are *their representatives* at the boards of unions, of which the magistrates are also members, ex officio.

Proviso for parts of unions out of counties.

The guardians of parishes in matters relative to county rates to have no voice or privilege at any board of guardians, unless they represent a parish, &c., within the county at next board of guardians.

The guardians of unions, part or parts of which may be out of the county, shall attend at the nearest or most convenient board of guardians (to be settled by the Commissioners) in the county to which their respective parishes belong, and shall have the same privileges and duties as far as regards county rates as the elected guardians of the board of unions, where they shall be appointed to attend and represent the rate-payers of the respective parishes.

Days to be previously fixed, and due notice given, on which special meetings of the boards of guardians are to be convened for taking into consideration all matters that appertain to the receipts and disbursements on account of the county rates or stock.

Accounts and proceedings to be entered according to printed forms, in books to be kept for that purpose by the clerks to the boards of unions.

As to Inspectors.

4 Geo. IV., c. 64, s. 74.

1. "*Inspectors* to assist the churchwardens and overseers of parishes, &c., in making up the assessments, filling up the receipts, keeping all books, and making all returns which relate to the collection of rates, rents, or other moneys payable on account of the poor."

2. "To collect all moneys payable on account of the poor rates and county rates, as for fines or otherwise, or as rents, or arising from any of the sources of income of parishes or towns, &c., to be set forth in commissioners' orders for keeping books of receipts and payments."

3. To pay over weekly, or oftener if required, to the treasurer of the union and take his receipt, to be placed to the account of the churchwardens and overseers of the respective parishes and towns, &c., the moneys collected on behalf of the said parishes and towns, and those applicable to the county rates only where parishes or towns, &c., belong to a union out of the county, but to make no other payments or disbursements whatsoever.

4. At all times when required by the churchwardens and overseers of the said parishes and towns, &c., to produce the rate-books and other account-books in his custody, relating to their respective towns and parishes, and balance the said rates, and furnish the said churchwardens with a true list of all defaulters, and the payment of rates and other dues to the said parishes and towns, and those on account of the county rates; and under the direction of the guardians to institute and attend to proceedings against such defaulters.

5. On receiving notice, to attend at the weekly or other meetings of the boards of guardians, with the several receipts, check-books, and the rate-book in collection; and when and so soon as any rate-book is closed, to hand over the same to the clerk of the union, and all the vouchers, receipts, and books belonging thereto; and generally to observe and fulfil all lawful orders and directions of the said board of guardians, and likewise the rules, orders, and regulations relating to the said union already, or to be hereafter issued by the Poor Law Commissioners for England and Wales.

12 Geo. II., c. 29, s. 7.

1. The *Guardians* elect shall cause to be brought up from their respective parishes (meetings having been previously held therein for that purpose) true, correct, and detailed accounts of all sums due or received applicable to the county rates, and in like manner to include an account of the disbursements the officers of parishes are or may be empowered to make, to be duly set forth, and which account shall be made out according to prescribed form, and shall be accompanied by the vouchers, and by such explanatory remarks as may be deemed necessary, to be signed by the parish officers and parishioners present.

2. The boards of guardians of respective unions to take these accounts and remarks into consideration, and having called on the inspectors and ascertained from the treasurer to the union the amounts

* See their Instructions to Parish Officers, 1st March, 1836.

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paid into his hands by the inspectors on account of the overseers and churchwardens of the respective parishes and towns, proceed to draw out an account founded on these several accounts.

3. They shall then make out an account of such disbursements which they as a board may be authorized and empowered to recommend, as for salaries, county constabulary police, conveyance of offenders to prison, and other local expenses coming under the immediate inspection and control of the union.

4. This account to be an exact statement of all and every the sum or sums of money respectively received and paid, and distinguishing the particular uses to which such sum or sums of money have been applied; to be accompanied by a report of such suggestions and observations as may be deemed advisable, and to be intrusted to such guardians as they may appoint to attend at quarter sessions, but the preference to be given to the churchwarden or deputy churchwarden of the board, provided either of them shall signify his intention to attend at ensuing quarter sessions.

5. These matters having been duly disposed of, the elected guardians shall proceed to choose (by ballot) a certain number of guardians from amongst themselves, the number to be fixed in proportion to the valuation or quota of the union, but not to exceed ; and it shall be imperative on one of them at least to attend at ensuing quarter sessions to represent the union, and a sum not exceeding pence per mile to be allowed for such attendance, and to be regulated according to the distance such guardian or guardians are obliged to travel.

6. To one or more of the chosen guardians shall be paid over the balance of the account of county rate for the union, the receipt of which shall be acknowledged by receipt under his or their hands in the book of their accounts to be kept by clerk of board, and which balance he or they shall be required to pay within days into the hands of the county banker for the general account of the county, and shall take a receipt for the amount. This sum will then be ready to meet the larger disbursements on account of the county rates, as gaol bills, bridges, coroners, clerk of peace, &c. &c.

7. From each division in the county the magistrates belonging to respective divisions to choose annually, and previous to each Epiphany quarter sessions, from amongst themselves in proportion to the valuation or quota of rate paid from such division, such justices as they may consider most eligible and most likely to attend to the duties of a finance committee, in order that they may attend at quarter sessions to represent the division in the finance committee.

8. Time and place to be fixed at previous quarter sessions, and advertisement made thereof times by the clerk of the peace in the county papers, for the members thus appointed to meet and form a united finance committee of county accounts, to be held at the place and hour previously determined on.

9. The committee having met, shall proceed to ballot for a chairman from amongst the magistrates in attendance; he shall continue in office for the financial year, to terminate at Michaelmas sessions; the election of chairman to take place at the Epiphany sessions (proviso in case of resignation or otherwise).

10. Clerk of the peace to give due notice to a clerk of the board of guardians within the county, to attend and assist in transacting the business of the finance committee, and for which duties and attendance he shall be allowed the sum of , and which nomination and notice shall be in rotation to the clerks of several boards of union to be arranged by the Commissioners; but if the finance committee, with approbation of the court at each Michaelmas session, shall deem it advisable to have a clerk nominated for the year, a clerk for this purpose shall then be chosen from amongst the several clerks to the boards of union within the county, and for which attendance and duties he shall be allowed the sum of ; but no clerk to be re-elected beyond the second year, when, if it be deemed advisable, another shall be elected in like manner in his stead.

11. Clerk of peace to attend himself or by his deputy at appointed time and place, and make out and keep book of county accounts according to a prescribed form, and for which duties he shall be allowed the sum of . Clerk of guardians in attendance to enter proceedings of committee in a book to be kept for that purpose, together with a list of all allowed and disallowed bills and vouchers with the amounts. Book to be placed in his custody for time being, and to be handed over to his successor, and to be open to inspection. 12 Geo. II. c. 29, s. 8. 12 Geo. II., c. 29, s. 7, 8, and 9.

12. The committee shall proceed to take into consideration, and in due order and rotation, (see 10) the accounts and reports placed before them from the several boards of guardians, and which accounts shall be accompanied with the several vouchers and documents appertaining to them, and with the county banker's receipt acknowledging the receipt of the balance from each board of guardians. They shall ascertain the *total amount* of the several balances paid into the county bank.

13. The committee shall then examine all the general accounts and bills which shall be placed before them, and which have been properly made out, according to prescribed form, by clerk of peace, keepers of gaols, and coroners, county surveyors, for bridges, for prosecution of prisoners at assizes and sessions, treasurer of juries, chamberlain of London, insolvent debtors' court, maintenance of lunatics, &c. &c. &c.; also of the total amount of county rates for which warrants were granted at preceding quarter sessions, and if they were duly paid; returns and amount of fines on summary convictions from the several divisions of the county, of which the clerks of petty sessions should be required to make weekly returns, together with all fees and charges paid or due to such boards of guardians as Commissioners may appoint; of fines from parish officers, gaolers and others; for the maintenance of borough prisoners before and after conviction; Government allowance for support of convicts; other allowance from Government in aid of county rates to be duly specified; money taken from prisoners and applied towards the expenses of their conveyance and support in gaol; for the maintenance of soldiers confined by sentence of courts martial, &c. &c. &c.; and having duly examined and allowed all accounts which should come before them, to write on each, "Examined and allowed," or otherwise, as the case may be. When approved, the chairman, clerk of peace or his deputy, clerk of board in attendance, and two members at least of the committee, to affix their signatures; and at the same time, draughts on the county bankers for the amount of each allowed bill to be drawn under the same signatures. The whole of the accounts having been gone through, an account (see 11) according to a printed prescribed form is to be made out by the clerk of peace or his deputy, to be accompanied by a report founded on the accounts and reports received, and which report shall further set forth, 1. The total of receipts, with such comments as may be deemed necessary. 2. The like as to disbursements. 3. Balance of the account. 4. Estimated amount of disbursements for ensuing quarter. 5. Extent of rate recommended to be made for ensuing quarter. 6. Such observations as may occur to them on the financial condition and prospects of the county.

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14. All the members of the finance committee to be empowered to vote in court on the county business.

15. The finance committee having thus far terminated their duties, shall seal up and deliver over to the clerk of peace in open court, at a certain time which shall have been previously advertised, the accounts and vouchers necessary to examining and proving the general county account of the clerk of peace, who shall, at the same time, produce his book thereof. The book of committee's proceedings with their report shall also be then given in.

The court will then proceed to take these matters into their consideration in due order, and if no exception is made in open court to any sum or sums to be paid by draught on the county banker, the draught shall be handed over to the party to whom the amount is due, or person appearing for him, and a receipt taken for the amount of the bill, to which it shall be affixed by clerk of peace; and all the accounts and vouchers shall, after having been passed by the justices and members of the county council or finance committee, at the respective general or quarter sessions, be deposited with the clerk of the peace for the time being, who is hereby required to keep them amongst the records of such courts, (it would be convenient if all the bills and vouchers were properly numbered and arranged into four quarterly packets, and placed in a box, and for the year to be painted on it,) to be inspected from time to time by any of the justices of the county, or members assembled in finance committee, as occasion shall require, without fee or reward.

If observation or objection, as the case may be, is made on any particular receipt by a magistrate or member of county council or finance committee in open court, if it be with regard to receipts not being adequate or otherwise, or suggesting a better method not contrary to prescribed form or rule for receiving sums, or for inquiry, where a doubt exists, of sums not amounting to what it is deemed they ought, a committee of inquiry shall be named for the purpose of investigation, and they shall report thereon to the next quarter sessions; notice, with particulars stated, having been given at the time in writing by magistrates or members of finance committee, and the question shall be considered and decided at the next quarter sessions.

16. And in like manner, if objection is made to any disbursement, payment of the bill or bills, or of the particular item of expense, shall be put off till the next quarter sessions, or if the sum for disbursement shall be a recommended payment by any board of guardians, if objected to, it shall be put off to the next quarter sessions; inquiry to be made as before stated, and to await the decision of the court.

17. In all cases the recommended rate to be levied shall be decided on in open court, but no new rate shall be made until it shall appear to the said justices and members of finance committee at the respective general or quarter sessions, or the greater part of them, then and there assembled, by the accounts placed before the court or otherwise, that three-fourths of the money collected by virtue of the preceding rate have been expended for the uses and purposes aforesaid.

18. In case of any of the foregoing matters requiring more mature consideration, notice to that effect shall be signed by magistrates or magistrates and members of the finance committee, and duly set forth in writing, and given to the clerk of the peace and read in open court; and the matter so set forth shall be taken into consideration by the court, and decided on at the ensuing Michaelmas quarter sessions, or at the Michaelmas quarter sessions, if it is made at the time they are holden.

19. At the Michaelmas sessions in each year the committee of finance shall cause to be prepared an explanatory and detailed annual account, according to a prescribed form, from Michaelmas to Michaelmas in each year, which account shall be published for the use of the several justices, boards of guardians, &c. &c. &c., and in which shall be fully explained every item of receipt and expenditure which shall appear in the abstract at commencement thereof, and which shall also serve as an index to the more detailed accounts, and in which shall be specified a reference to the vouchers to be numbered accordingly in custody of the clerk of the peace. This account to be prefaced with such comments and observations as may tend to elucidate it. To obviate all difficulty regarding the examination of this account previous to its publication, the finance committee shall be empowered to take charge thereof, and fix a day and place of meeting for this purpose; the clerk of the peace to be required to furnish them with the annual account (founded on the examined and allowed accounts) ready for the printer, within days after each Michaelmas quarter sessions. That these accounts shall be duly examined and signed by the chairman and members of the finance committee, by the clerk of the peace or his deputy, and by the clerk of the finance committee, and ordered to be printed forthwith, and shall be distributed by the clerk of the peace without delay as follows. (Number of copies to be printed to be regulated accordingly.)

Nos. — Each member of Finance Committee.
— Justices not members of Finance Committee in attendance at Quarter Sessions.
— Clerk of Peace.
— Gaols, one each.
— Boroughs, one each.
— Division, one each, to be kept by clerk.
— Board of Guardians.
— County Newspapers, one each.
— County and Borough Members, one each.
— Commissioners.
— Secretary of State.

20. Commissioners to make a return from such of the respective reports and accounts of the several counties as may be generally useful, (in same manner as the annual gaol returns are now made,) that they may be ready to be printed for the use of Parliament, and, having been ordered to be printed, that a sufficient number of extra copies be printed to be transmitted to the several finance committees and boards of guardians.

The Commissioners to annex to the return such instructions, comments, and comparative tables of receipt and expenditure as they may deem requisite and necessary for general information.

APPENDIX (C.)

TABLE showing the AMOUNT of EXPENDITURE of County Rate in the several Counties of England and Wales in the Year 1834; also the Rate in the Pound in that Year, supposing the County Rate to have been levied on the Annual Value of Real Property, as assessed to the Property Tax in April 1815.

COUNTIES.	Total County Rate Expenditure, 1834.	Annual Value of Real Property, April 1815.	Rate in the Pound thereupon.
	£. s. d.	£.	d.
Bedford	5,090 19 11	343,682	3½
Berks	8,435 10 1	652,082	3
Bucks	14,020 2 9	644,129	5
Cambridge	6,841 9 9	655,220	2½
Chester	41,082 9 9	1,083,083	9
Cornwall	8,024 9 7	916,060	2
Cumberland	11,161 15 8½	705,445	3¾
Derby	12,311 5 4	887,659	3¼
Devon	14,733 14 11¼	1,897,515	1¾
Dorset	8,938 2 5	698,395	3
Durham	9,911 1 0	791,359	3
Essex	18,847 10 6	1,556,836	2¾
Gloucester	16,103 7 7½	1,463,259	2½
Hants	19,618 3 5	1,130,951	4
Hereford	5,365 12 0	604,614	2
Hertford	5,500 11 6	571,107	2¼
Huntingdon	4,150 9 5	320,187	3
Kent	16,692 15 6	1,644,179	2¼
Lancaster	39,169 3 4	3,087,774	3
Leicester	15,181 9 11	902,217	4
Lincoln	25,941 0 6¾	2,061,830	3
Middlesex	69,373 18 3½	5,595,536	2¾
Monmouth	4,940 17 8	295,097	4
Norfolk	15,875 13 2½	1,540,952	2¼
Northampton	6,801 6 3½	942,161	1¾
Northumberland	9,066 12 1	1,240,594	1¾
Notts	15,232 10 8½	737,229	4¾
Oxford	8,775 0 9	713,147	2¾
Rutland	1,288 5 10	133,487	2¼
Salop	9,880 10 11	1,037,988	2¼
Somerset	19,129 19 7½	1,900,651	2¼
Stafford	15,938 17 5½	1,150,234	3¼
Suffolk	15,878 17 0½	1,127,404	3¼
Surrey	25,872 3 9	1,579,172	3¾
Sussex	17,859 9 11	915,348	4½
Warwick	15,336 4 1	1,236,726	2¾
Westmorland	3,647 0 10½	298,198	2¼
Wilts	14,480 6 10	1,115,458	3
Worcester	9,295 1 6	799,605	2¾
York (East Riding)	8,210 3 1	1,190,325	1½
,, (North Riding)	16,297 4 7	1,145,252	3½
,, (West Riding)	41,670 13 8	2,392,405	4
Total of England	651,972 3 1¾	49,744,622	3
Anglesey	1,986 10 9½	92,589	5
Brecon	3,880 2 9	146,539	6¼
Cardigan	1,722 17 7½	141,889	2¾
Carmarthen	4,962 9 5	277,455	4½
Carnarvon	3,891 16 10	125,198	7¼
Denbigh	5,253 17 11	243,976	5
Flint	3,120 14 9	153,930	4¾
Glamorgan	5,621 8 5	334,192	4
Merioneth	1,659 13 0½	111,436	3¼
Montgomery	5,306 15 10	207,286	6
Pembroke	2,567 18 7	219,589	2¾
Radnor	1,801 0 6	99,717	6½
Total of Wales	41,775 6 5½	2,153,801	4½
Total of England and Wales	693,747 9 7¼	51,898,423	3

PARTICULARS OF COUNTY F

COUNTIES.	Bridges, Building, and Repairs, &c.	Gaols, Houses of Correction, &c., and maintaining Prisoners, &c.	Shire Halls and Courts of Justice, Building, Repairing, &c.	Lunatic Asylums.	Prosecutions.	Clerk the Pe
ENGLAND.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£.
Bedford	193 9 9	1,656 13 1	138 1 6	610 1 6	754 5 2	411
Berks	126 3 2	4,646 14 3	..	..	1,679 10 8	793
Bucks*	4,965 15 0	*2,923 11 1	..	..	2,132 7 1	950
Cambridge	262 4 1	2,256 2 4	146 17 9	..	1,584 6 6	414
Chester	5,179 2 6	14,037 6 7	..	225 0 0	9,570 3 2	737
Cornwall	555 7 3½	2,637 0 9½	..	200 19 11	1,417 14 4	344
Cumberland	6,437 7 10	1,552 19 3	44 9 7	..	1,078 13 8	448
Derby	778 10 0	1,781 5 11	271 16 7	..	1,690 3 5	1,020
Devon	2,851 2 5½	4,720 15 4¾	265 5 1½	181 19 6	3,517 17 5½	682
Dorset	746 7 11	2,874 19 6¾	65 15 1	2,251 7 9	1,096 16 7½	565
Durham	1,646 4 6	2,979 8 4	..	157 13 11	2,029 6 8	506
Essex	728 2 0	10,311 17 2	245 9 8	..	2,382 13 8	1,385
Gloucester	1,400 3 8	4,832 9 10	800 8 1½	705 0 11	5,227 11 11	439
Hants	1,247 3 5	3,909 18 3	898 19 8	..	2,999 8 5	732
Hereford	473 9 5	1,858 14 6½	172 15 6	..	1,363 9 5	202
Hertford	68 3 6	2,832 9 6	72 13 0	..	768 17 8	385
Huntingdon	255 12 9	910 18 0	7 7 5	..	555 19 11	180
Kent	1,538 0 6	5,651 0 11	260 13 10	1,105 17 4	3,562 14 8	1,102
Lancaster	116 3 4	*5,479 0 2	..	1,934 9 2	19,093 11 11	778
Leicester	351 14 2	3,502 11 8	66 10 8	..	2,312 0 6	253
Lincoln	703 4 0	8,594 0 2¼	283 9 4	36 8 0	2,980 16 9½	1,612
Middlesex	2,831 17 0	22,819 6 9½	1,943 3 8½	1,631 4 1	6,674 3 7	1,782
Monmouth	263 14 7	1,794 9 8½	66 15 10	..	1,129 18 10	319
Norfolk	739 5 1	7,356 13 1	114 5 3	296 3 6	3,731 16 1	742
Northampton	728 10 4½	2,181 4 8¼	115 8 7	..	1,684 9 1	245
Northumberland	3,300 10 6	2,481 10 7	102 12 9	..	646 12 8	696
Nottingham	273 2 5	3,437 12 2	2,418 10 7	627 15 10	1,694 14 1	1,268
Oxford	933 14 9	3,091 4 9	29 15 6	..	1,804 19 7	691
Rutland	257 15 9½	379 13 7	11 6 5	..	95 2 1	78
Salop	1,241 15 11	3,426 2 8	427 2 9	34 15 0	1,865 9 1	999
Somerset	1,495 18 6	7,413 18 5½	33 8 7	..	5,364 12 7	726
Stafford	1,442 15 3	4,469 11 6	240 0 6	11 18 6	4,237 2 11	1,054
Suffolk	746 15 2½	5,782 7 5	294 14 2	903 15 10	2,509 10 7	854
Surrey	738 13 10	11,663 19 4	188 7 11	194 2 6	3,102 16 11	877
Sussex	109 18 0	12,331 4 7	427 9 4	57 5 0	1,949 13 2	1,307
Warwick	660 11 8	5,427 11 6	316 6 6	219 19 9	4,654 1 9	556
Westmorland	257 9 9	1,065 7 4½	6 2 3	..	259 3 4	111
Wilts	964 16 5	5,650 3 4	..	37 9 7	2,404 18 2	443
Worcester	168 16 9	3,269 5 6	..	..	3,140 11 11	611
York (East Riding)	112 1 8	4,435 7 4	..	143 12 3	1,203 16 6	294
,, (North Riding)	5,875 1 6	5,807 16 0⅓	..	20 0 0	1,231 18 5	925
,, (West Riding)	6,170 0 0	10,190 12 8	2,211 18 5	752 11 3	8,030 9 2	1,196
Total of England	59,936 16 2½	214,424 19 10¼	12,688 1 10½	12,339 11 1	125,214 10 1½	29,731
WALES.						
Anglesey	230 1 2	316 17 1½	3 6 8	..	105 15 6	104
Brecon	1,295 13 4	606 15 11	36 18 2	..	663 10 7	195
Cardigan	478 7 10½	425 12 6½	69 1 5½	..	159 19 11	222
Carmarthen	1,907 13 6	890 10 4	241 16 0	..	225 7 0	50
Carnarvon	2,139 2 2	414 8 1	77 14 6	..	689 0 6	172
Denbigh	887 16 3	677 5 2	292 15 0	..	1,153 1 11	347
Flint	694 16 1	751 5 4	509 17 2	..	525 15 11	144
Glamorgan	157 15 9	2,264 12 10	1 1 0	..	1,267 15 10	312
Merioneth	724 8 0½	368 18 1	29 19 11½	..	174 6 3	163
Montgomery	3,199 12 2	504 0 1	..	..	523 15 2	91
Pembroke	458 16 7	881 6 11	..	31 17 6	418 14 6	204
Radnor	420 19 4	260 2 4½	..	..	294 9 0	139
Total of Wales	12,595 2 3	8,361 14 9½	1,262 9 11	31 17 6	6,201 12 1	2,148
Total of England and Wales	72,531 18 5½	222,786 14 7¾	13,950 11 9½	12,371 8 7	131,416 2 2½	31,880

* Shire Halls, &c., included.

NDITURE, 1834.

...ance ...soners ...Trial.	Conveyance of Transports.	Vagrants, Apprehending and Conveying.	Constables, High and Special.	Coroner.	Debt, Payment of, Principal and Interest.	Miscellaneous.	Total.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
9 17 10	64 3 0	8 19 5	378 7 11	101 15 9	..	653 8 5	5,090 19 11
7 9 11	..	20 7 7	44 15 0	127 11 10	151 18 0	567 4 9	8,435 10 1
2 19 4	171 3 5	533 15 11	328 0 0	171 2 6	525 0 0	696 2 11	14,020 2 9
8 5	199 19 2	28 15 10	305 12 4	141 0 3	524 0 8	871 18 1	6,841 9 9
1 6 11	817 10 0	395 19 4	628 5 2	488 13 0	5,614 9 7	1,946 19 3	41,082 9 9
8 3 2	97 17 6	..	...	238 13 0	1,176 6 6	807 9 2	8,024 9 7
4 3	132 12 0	147 12 7	200 0 0	278 8 3	..	717 16 4½	11,161 15 8½
8 7	145 16 8	48 14 3	393 15 6	244 13 0	4,941 15 0	672 3 3	12,311 5 4
15 5	210 16 6	147 10 0	16 8 10	459 16 11	..	860 4 9	14,733 14 11¼
1 3	52 12 0	..	5 6 6	143 12 0	..	453 2 8¾	8,938 2 5
9 6½	207 0 10	74 11 11½	766 6 5	8 2 10	..	983 10 6	9,911 1 0
5 1	297 7 0	315 18 0	552 5 2	345 17 6	..	1,524 7 11	18,847 10 6
15 4	280 5 6	19 5 5	10 7 8	475 16 0	..	1,270 17 11	16,103 7 7½
15 5	91 0 0	..	71 1 0	298 12 0	6,165 10 0	2,412 12 7	19,618 3 5
19 3½	169 17 7	..	62 18 0	143 8 3	..	737 0 5	5,365 12 0
1 11	70 1 6	73 19 8	198 7 0	131 19 6	106 13 4	255 19 5	5,500 11 6
6 8	124 0 0	225 5 3	290 18 0	54 6 6	1,140 0 0	396 14 7	4,150 9 5
11 1	..	0 15 3	226 18 10	449 6 0	..	1,319 8 5	16,692 15 6
18 9	1,949 5 7	512 2 7	1,563 3 3	2,199 0 6	..	2,467 15 2	39,169 3 4
19 8	134 7 0	35 19 7	568 3 9	157 0 9	5,441 5 0	2,022 6 6	15,181 9 11
4 4½	37 19 0	338 2 8	401 17 6	405 4 0	7,941 8 6	2,089 16 7¾	25,941 0 6¾
..	..	1,105 19 4	120 18 9	1,534 12 6	26,189 19 9½	2,740 3 2	69,373 18 3½
14 1	118 15 0	49 18 0	44 19 0	147 8 0	475 0 0	318 7 2½	4,940 17 8
13 10	405 15 0	54 18 9	31 5 3	329 16 3	..	1,024 6 3½	15,875 13 2½
12 6	195 0 0	93 2 0	..	151 17 9	..	935 9 11¾	6,801 6 3½
7 10	..	43 18 7	..	126 3 10	..	1,590 0 10	9,066 12 1
16 3	217 17 9	264 19 6	151 10 0	264 5 6	1,685 0 0	2,274 8 8½	15,232 10 8½
1 5	128 2 0	191 2 4	1,006 12 10	177 12 1	..	229 14 0	8,775 0 9
8 8½	48 13 6	66 0 0½	24 10 0	48 4 0	..	258 10 9½	1,283 5 10
16 9	137 18 10	6 18 4	18 16 9	286 1 6	101 5 6	956 12 1	9,880 10 11
10 7½	404 0 6	60 1 6	77 0 0	585 4 0	..	1,618 1 0½	19,129 19 7½
1 1	550 0 0	806 5 3	213 9 11	571 7 3	...	1,423 16 2½	15,938 17 5½
2 2	319 2 3	23 4 5	666 5 11	273 6 3	1,000 0 0	1,280 5 4	15,878 17 0½
6 10	..	110 15 9	..	461 15 9	5,000 0 0	2,400 4 5	25,872 3 9
8 2	..	..	12 17 0	219 2 6	..	473 19 7	17,859 9 11
13 1	538 17 6	385 12 3	552 12 4	323 9 6	..	954 15 2	15,336 4 1
17 10	25 11 6	9 12 2	133 10 0	47 17 3	1,400 0 0	302 11 1	3,647 0 10¼
0 6	..	16 1 3	..	371 13 3	3,030 0 0	777 9 8	14,480 6 10
0 2	321 14 9	297 16 3	290 8 11	246 9 6	..	419 2 1	9,295 1 6
10 3	116 7 2	141 10 6	583 6 5	172 12 8	..	766 17 2	8,210 3 1
4 10	111 8 6	265 8 7½	525 0 0	202 11 10	..	969 11 9½	16,297 4 7
14 6	947 16 9	627 1 1	2,361 0 4	907 5 4	..	3,526 8 8	41,670 13 8
3 7¼	9,840 15 3	7,548 1 2½	13,827 1 3	14,512 16 10	72,609 11 10½	48,967 15 0¼	651,972 3 1¾
16 0	..	40 5 6	9 0 6	56 17 6	900 0 0	171 12 4	1,986 10 9½
12 7	51 9 6	..	..	41 2 1	448 13 3	486 13 3	3,880 2 9
13 0	32 0 0	5 10 11	..	74 13 10	..	232 12 3	1,722 17 7½
2 6	75 0 0	4 19 6	..	181 2 5	1,050 0 0	302 14 2	4,962 9 5
3 3	40 19 2	0 19 10	35 8 0	112 6 6	55 5 7	149 6 5	3,891 16 10
19 2	111 19 3	..	18 2 0	92 12 0	1,219 12 1	372 9 5	5,253 17 11
10 11	34 12 4	5 19 9	..	130 10 9	..	291 2 8	3,120 14 9
18 9	..	..	114 1 0	73 5 3	1,008 6 3	210 13 4	5,621 8 5
16 11	..	..	3 12 0	11 12 2	..	149 10 1½	1,659 13 0½
17 10	47 10 0	..	..	169 14 6	311 1 6	374 16 11	5,306 15 10
18 2	109 10 0	15 4 2	..	171 19 3	11 7 6	177 10 6	2,567 18 7
18 6	27 2 0	..	..	19 9 3	408 0 0	225 13 0½	1,801 0 6
7 7	529 2 3	72 19 8	180 3 6	1,135 5 6	5,412 6 2	3,144 14 5	41,775 6 5½
11 2¼	10,369 17 6	7,621 0 10½	14,007 4 9	15,648 2 4	78,021 18 0½	52,112 9 5¼	693,747 9 7¼

TABLE I.—To show the Recent Progress of Expenditure for Prosecutions.—(Assizes)

Counties.	Expenditure for Three Years, 1829–1831.	Expenditure for Three Years, 1832–1834.	Increase per Cent.	Decrease per Cent.	Number of Cases in Three Years 1829–1831.	Number of Cases in Three Years 1832–1834.	Increase per Cent.	Decrease per Cent.	Average Expense per Case, 1829–1831.	Average Expense per Case, 1832–1834.	Increase per Cent.	Decrease per Cent.	REMARKS.
ENGLAND.	£. s. d.	£. s. d.	£.	£.			£.	£.	£. s. d.	£. s. d.	£.	£.	
Bedfordshire	1,539 17 7	1,536 6 7	..	300/1539	116	117	100/116	..	13 5 5	13 2 7	..	1 315/3185	
Berkshire	2,376 8 7	2,282 15 1	..	3 2272/2376	121	114	..	5 95/121	19 12 9	20 0 5	1 4487/4713	..	
Bucks	3,242 16 7	3,057 15 10	..	5 2290/3242	159	175	10 16/159	..	20 7 10	17 9 5	..	1 41584/4894	
Cambridgeshire	3,014 15 3	3,353 8 4	11 746/3014	..	145	154	6 20/145	..	20 15 9	21 15 6	4 3744/4089	..	
Chester	10,952 11 10	11,785 17 11	7 6036/10952	..	313	323	3 61/313	..	34 19 10	36 9 9	4 23098/8398	..	
Cornwall	1,792 16 7	2,453 7 9	36 1588/1792	..	78	108	38 26/78	..	22 19 8	22 14 3	..	1 964/5516	
Cumberland	..	..	..	..	..	..	..	..	..	..	..	..	No account of the number of prosecutions has been kept.
Derbyshire	2,352 0 3	3,411 15 3	45 60/2352	..	128	128	..	..	18 7 6	26 13 1	45 230/4410	..	This line applies to the two series of years, 1828—1830, and 1831—1833.
Devonshire	5,114 18 2	3,919 9 0	..	231876/5111	342	271	..	20 260/342	14 19 1	14 9 3	..	3 1033/3589	The numbers of prosecutions at assizes and sessions are not distinguished.
Dorsetshire	1,771 13 10	2,441 7 6	37 1479/1771	..	140	166	18 80/140	..	12 13 1	14 14 1	16 608/3037	..	The expenses of assize and sessions prosecutions are stated in one gross sum.
Durham	..	..	..	..	..	..	..	..	..	..	..	..	
Essex	6,463 10 1	4,222 12 0	..	34 4358/6163	475	331	..	30 150/475	13 12 1	12 15 1	..	6 810/3265	
Gloucestershire	..	..	..	..	..	..	..	..	..	..	..	..	
Hants	7,237 14 3	5,330 14 7	..	26 2538/7237	390	273	..	30	18 11 1	19 10 6	51 1035/4133	..	
Herefordshire	3,121 5 11	2,420 13 5	..	22 1438/3121	200	164	..	18	15 12 1	14 15 2	..	1 1575/3743	
Hertfordshire	2,690 19 2	2,323 0 6	..	13 1730/2690	259	232	..	10 110/259	10 7 9	10 0 3	..	1 1491/2493	
Huntingdonshire	869 2 1	539 9 10	..	37 847/869	43	42	..	2 1/43	20 4 2	12 16 10	..	36 2200/4830	
Kent	7,672 7 3	6,434 0 7	..	16 1046/7672	609	567	..	6 540/609	12 11 11	11 6 11	..	9 2733/3023	
Lancashire	6,544 18 6	6,871 4 10	4 327/6544	..	164	155	..	5 30/164	39 18 1	44 6 7	11 853/9577	..	This line includes two series of two years only to each, namely, 1830—1831, and 1832—1833.
Leicestershire	3,307 2 1	4,020 15 4	21 1853/3307	..	225	219	..	2 150/225	14 13 11	18 7 2	24 3252/3627	..	
Lincolnshire	3,247 2 5	3,681 3 4	13 1189/3247	..	110	102	..	7 80/110	29 10 5	36 1 9	22 1730/7085	..	
Middlesex	..	..	..	..	..	..	..	..	..	..	..	..	
Monmouth	2,626 9 6	2,314 11 10	..	11 2314/2626	176	153	..	13 23/176	14 18 5	15 2 6	1 1319/3581	..	There are no means of ascertaining the number of prosecutions.
Norfolk	5,017 18 8	6,455 16 5	28 3324/3017	..	233	277	18 206/233	..	21 10 8	23 6 1	1 1136/5168	..	
Northamptonshire	2,372 5 2	3,181 4 9	34 809/2372	..	152	155	1 148/152	..	15 12 1	20 10 5	31 1905/3745	..	
Northumberland	994 10 0	1,492 19 1	50 100/994	..	38	54	42 4/38	..	26 3 5	27 12 11	5 3995/6261	..	
Notts	2,819 10 1	2,547 2 0	..	9 1829/2819	117	117	..	..	24 1 11	21 15 4	..	9 3853/5783	
Oxfordshire	..	..	..	..	..	..	..	..	..	..	..	..	
Rutland	100 16 9	134 19 3	34	..	8	14	75	..	12 12 1	9 12 9	..	2 1625/3025	The number of prosecutions is not stated.
Salop	3,590 15 3	3,733 14 10	3 3530/3500	..	200	171	..	14 100/200	17 19 0	21 16 8	2 1273/4308	..	
Somerset	10,407 17 3	10,851 11 0	4 1272/10407	..	653	706	8 76/653	..	15 18 9	15 7 4	..	3 2225/3825	
Staffordshire	8,011 13 1	7,670 15 9	..	4 2056/3011	420	422	2 200/420	..	19 1 6	18 3 6	..	4 3288/4578	
Suffolk	3,787 9 3	2,911 12 7	..	23 1499/3787	173	132	..	23 121/173	21 17 10	22 1 1	3900/5234	..	
Surrey	..	..	..	..	..	..	..	..	..	..	..	..	
Sussex	3,947 9 11	3,766 10 5	..	4 2312/3947	370	319	..	13 290/370	10 13 4	11 16 1	1 1700/2360	..	The number of prosecutions is not stated.
Warwickshire	10,196 16 1	6,440 17 0	..	36 3541/10196	586	438	..	25 150/586	17 8 0	14 14 1	..	1 2060/4176	
Westmorland	276 2 0	354 1 2	28 72/276	..	15	15	..	..	18 8 1	23 12 0	2 1024/4417	..	
Wiltshire	5,034 19 9	4,800 4 9	..	4 3264/5034	486	336	..	30 420/486	10 7 2	14 5 8	3 2218/2186	..	
Worcestershire	4,092 2 2	3,484 10 1	..	14 2312/4092	215	179	..	16 190/215	19 0 7	19 9 3	21266/4307	..	
Yorkshire (East Riding)	875 3 10	1,324 11 8	51 275/875	..	26	37	42 6/26	..	33 13 2	35 15 11	6 2832/8078	..	
,, (North Riding)	1,349 19 7	1,352 12 2	300/1349	..	31	35	12 28/31	..	43 10 11	38 12 11	11 2639/10451	..	
,, (West Riding)	17,382 9 6	14,337 1 8	..	17 9006/17382	349	301	..	13 263/349	49 16 1	47 12 7	..	4 4388/11963	
	156,196 8 3	147,240 14 1	..	5 114620/156196	8,265	7,502	..	9 1915/8265	18 17 11	19 12 6	3 3895/4335	..	
WALES.													
Anglesey	566 7 5	970 16 8	71 214/566	..	18	19	5 10/18	..	31 9 3	51 1 11	62 3038/7551	..	
Brecon	915 7 8	973 11 4	6 240/915	..	32	37	15 29/32	..	28 12 1	26 6 3	..	8 80/6865	
Cardiganshire	353 0 11	215 5 11	..	39 33/333	9	8	..	1 1/9	39 4 6	26 18 2	..	31 3706/9411	
Carmarthenshire	..	..	..	..	..	..	..	..	..	..	..	..	
Carnarvonshire	..	..	..	..	..	..	..	..	..	..	..	..	The expenses of assize and sessions prosecutions are stated in one gross sum.
Denbighshire	1,671 11 10	2,359 12 2	41 289/1671	..	71	65	..	8 32/71	23 10 10	36 6 0	5 1100/5600	..	
Flintshire	1,187 3 3	997 9 9	..	16 8/1187	77	29	..	62 36/77	15 8 4	34 7 11	123 400/3700	..	
Glamorganshire	2,483 7 0	1,955 0 4	..	21 502/2483	64	77	20 20/64	..	38 16 0	25 7 9	..	34 5292/9312	
Merionethshire	87 19 6	491 5 10	464 32/87	..	3	12	300	..	29 6 6	40 18 9	39 4918/7038	..	
Montgomeryshire	1,202 2 11	688 12 3	..	42 916/1202	56	31	..	44 20/56	21 9 4	22 4 3	32 444/6152	..	
Pembrokeshire	750 11 1	783 15 4	4 300/750	..	26	36	38 12/26	..	28 17 4	21 15 5	..	24 4028/6968	
Radnorshire	639 2 5	599 3 11	..	6 166/639	19	31	63 3/19	..	33 12 8	19 6 6	..	42 1376/8073	
	9,856 14 0	10,034 13 6	17 244/9856	..	375	345	..	8	26 5 4	29 1 8	10 4389/9856	..	

Counties.	Expenditure for Three Years, 1829–1831.	Expenditure for Three Years, 1832–1834.	Increase per Cent.	Decrease per Cent.	Number of Cases in Three Years 1829–1831.	Number of Cases in Three Years 1832–1834.	Increase per Cent.	Decrease per Cent.	Expense per Case, 1829–1831.	Expense per Case, 1832–1834.	Increase per Cent.	Decrease per Cent.	REMARKS.
ENGLAND.	£. s. d.	£. s. d.	£.	£.			£.	£.	£. s. d.	£. s. d.	£.	£.	
Bedfordshire	1,041 5 5	921 18 8	..	11 549/1041	158	149	..	5 110/158	6 11 9	6 3 8	..	6 214/1581	
Berkshire	1,574 11 7	2,056 15 9	30 980/1574	..	253	288	13 211/253	..	6 4 5	7 2 9	14 1089/1265	..	
Bucks	2,265 19 7	3,247 3 11	41 982/2265	..	229	311	24 231/229	..	9 4 5	10 8 9	13 441/2291	..	
Cambridgeshire	1,843 9 2	2,282 11 1	21 1839/1843	..	167	195	16 28/167	..	10 19 6	11 14 1	6 1995/2671	..	
Chester	13,769 15 4	13,599 14 3	..	1 3911/13769	1,048	1,198	14 150/1048	..	13 2 9	11 7 0	..	1 3911/3153	
Cornwall	1,673 4 10	1,938 15 1	15 1495/1673	..	281	308	9 27/281	..	5 19 1	6 5 10	5 255/1429	..	
Cumberland	..	..	..	..	..	..	..	..	..	..	..	..	No account of the number of prosecutions has been kept.
Derbyshire	2,261 1 6	2,078 13 4	..	8 213/2261	220	210	..	4 139/220	10 5 6	9 17 11	..	31792/2165	
Devonshire	4,862 15 4	4,295 12 6	..	11 1275/4862	737	717	..	23 28/737	6 11 11	5 19 9	..	9 202/1457	This line applies to the two series of years, 1828–1830, and 1831–1833.
Dorsetshire	924 6 11	1,112 19 5	20 220/924	..	246	306	24 96/246	..	3 15 1	3 12 1	..	3 897/901	
Durham	..	..	..	..	..	..	..	..	..	..	..	..	The number of prosecutions at assizes and sessions are not distinguished.
Essex	4,873 12 1	5,801 14 11	19 213/4873	..	784	1,026	30 580/784	..	6 4 3	5 13 1	..	8 1572/1457	
Gloucestershire	..	..	..	..	..	..	..	..	..	..	..	..	The expenses of assize and session prosecutions are stated in one gross sum.
Hants	2,264 12 5	3,711 6 3	64 1104/2264	..	387	551	42 116/387	..	5 17 0	6 14 9	15 240/1401	..	
Herefordshire	909 2 8	1,373 5 7	51 11/909	..	138	195	2 57/138	..	5 15 0	7 0 10	22 540/1380	..	
Hertfordshire	535 19 10	780 8 0	45 442/535	..	194	236	21 29/194	..	2 15 3	3 6 1	19 401/564	..	
Huntingdonshire	447 11 1	722 13 10	61 264/447	..	45	62	37 43/45	..	9 18 10	11 13 2	17 948/2365	..	
Kent	4,482 15 5	6,097 12 0	36 1449/4482	..	740	966	30 409/740	..	6 1 1	6 6 2	4 268/1453	..	
Lancashire	32,085 5 11	33,688 3 5	5 1603/32085	..	3,554	3,790	6 2236/3554	..	9 0 6	8 17 9	..	1 1134/2166	This line includes two series of two years only to each, viz. 1830–1831, and 1832–1833.
Leicestershire	3,016 18 11	3,503 10 0	16 444/3016	..	391	350	..	10 190/391	7 14 3	10 0 2	29 1131/1854	..	
Lincolnshire	4,471 8 2	5,318 5 11	18 4422/4471	..	552	723	30 540/552	..	8 2 0	7 7 1	..	9 404/1540	
Middlesex	..	..	..	..	..	..	..	..	..	..	..	..	There are no means of ascertaining the number of prosecutions.
Monmouth	1,479 13 1	1,573 17 4	6 526/1479	..	154	158	2 92/154	..	9 12 1	9 19 2	3 585/2305	..	
Norfolk	4,973 1 4	5,272 6 7	6 62/4973	..	725	790	8 790/725	..	6 17 2	6 13 5	..	2 1208/1616	
Northamptonshire	731 14 11	1,046 5 10	42 1372/2314	..	158	200	26 72/158	..	4 13 0	5 4 7	12 508/1116	..	
Northumberland	502 10 2	737 9 0	46 148/502	..	83	88	6 4/83	..	6 1 1	8 7 7	38 569/1153	..	
Notts	3,901 17 2	3,500 16 6	..	10 1000/3901	440	438	..	2/440	8 17 4	7 19 10	..	91848/2128	
Oxfordshire	..	..	..	..	..	..	..	..	..	..	..	..	The number of prosecutions is not stated.
Rutland	187 11 5	130 11 0	..	30 57/187	27	32	18 14/27	..	6 19 0	4 1 7	..	41 512/1668	
Salop	1,994 12 8	3,448 6 9	72 1852/1994	..	192	322	67 130/192	..	10 7 9	10 14 2	3 221/2401	..	
Somerset	5,910 4 4	5,908 11 9	..	2/5910	969	947	..	22/969	6 1 11	6 4 9	2 51/1163	..	
Staffordshire	8,531 7 2	8,969 1 9	5 1145/8531	..	1,186	1,320	11 354/1186	..	7 3 10	6 15 10	..	5 961/1726	
Suffolk	2,978 4 0	5,507 1 6	84 2548/2978	..	518	816	57 274/518	..	5 14 11	6 14 11	17 657/1379	..	
Surrey	..	..	..	..	..	..	..	..	..	..	..	..	The number of prosecutions is not stated.
Sussex	2,801 11 6	2,636 19 7	..	5 2495/2837	519	531	2 152/519	..	5 7 11	4 19 3	..	8 40/1295	
Warwickshire	9,706 5 3	8,497 18 4	..	12 1429/9706	1,005	1,084	7 965/1005	..	9 13 1	7 16 9	..	18 1804/2317	
Westmorland	311 0 10	395 6 1	23 247/311	..	35	31	..	11 15/35	8 17 8	12 8 7	39 1852/2132	..	
Wiltshire	1,940 16 11	2,053 8 6	6 960/1940	..	481	463	..	3 357/481	4 0 8	4 9 1	10 420/963	..	
Worcestershire	3,113 13 4	5,207 14 3	67 1620/3113	..	445	608	36 280/445	..	6 19 11	8 11 3	22 652/1679	..	
Yorkshire (East Riding)	842 5 7	1,437 0 7	70 569/842	..	164	230	40 70/164	..	5 2 8	6 4 11	21 828/1232	..	
,, (North Riding)	2,519 18 5	2,481 11 9	..	1 1461/2519	187	190	1 13/187	..	13 9 6	13 1 2	..	3 208/3234	
,, (West Riding)	13,086 17 11	18,853 8 2	44 916/13086	..	2,316	2,707	16 2044/2516	..	5 13 0	6 19 3	23 312/1358	..	
	148,839 8 2	170,192 14 2	14 51554/148839	..	19,768	22,536	14 48/19768	..	7 10 7	7 11 0	500/1807	..	
WALES.													
Anglesea	415 19 11	203 7 4	..	51 21/415	32	12	..	6 216/32	12 19 11	16 18 10	30 1130/3176	..	
Brecon	80 15 11	230 18 1	187 40/80	..	11	35	21 8/11	..	7 6 10	6 11 11	..	10 280/1762	
Cardiganshire	195 5 5	173 16 2	..	11 55/195	9	18	100	..	21 13 11	9 13 1	..	55 2317/2577	
Carmarthenshire	..	..	..	..	..	..	..	..	..	..	..	..	The expenses of assize and sessions prosecutions are stated in one gross sum.
Carnarvonshire	..	..	..	..	..	..	..	..	..	..	..	..	
Denbighshire	361 2 6	1,082 11 6	199 261/361	..	34	75	120 30/34	..	10 12 5	14 8 8	35 2285/2310	..	
Flintshire	361 7 11	452 1 2	25 75/361	..	46	39	..	15 10/46	7 17 1	11 11 9	47 1002/1885	..	
Glamorganshire	2,007 15 0	1,899 18 6	..	5 765/2007	160	152	..	5	12 10 11	12 9 11	..	1300/3611	
Merionethshire	213 6 2	276 9 9	29 123/213	..	12	13	8 1/12	..	17 15 6	21 5 4	19 4745/1305	..	
Montgomeryshire	365 2 3	807 13 6	121 35/365	..	45	85	88 40/45	..	8 2 3	9 10 0	17 201/1917	..	
Pembrokeshire	264 8 8	335 9 6	26 220/264	..	29	42	44 324/29	..	9 2 4	7 19 9	..	12 844/2788	
Radnorshire	227 13 3	197 6 9	..	13 49/227	22	23	4 12/22	..	10 6 11	8 11 7	..	17 130/2483	
	4,492 17 0	5,659 12 3	254 1192/4492	..	400	494	23 200/400	..	11 4 7	11 9 1	2 10/2893	..	

TABLE III.—To show the recent Progress of Expenditure in Prosecutions.

Assizes and Sessions.

Counties.	Expenditure for Three Years, 1829–1831.	Expenditure for Three Years, 1832–1834.	Increase per Cent.	Decrease per Cent.	Number of Cases in Three Years, 1829 to 1831.	Number of Cases in Three Years, 1832 to 1834.	Increase per Cent.	Decrease per Cent.	REMARKS.
ENGLAND.	£. s. d.	£. s. d.	£.	£.	£.	£.	£.	£.	
Bedfordshire	2,581 3 0	2,458 5 3	..	41 976/2581	274	266	..	2 252/274	
Berks	3,951 0 2	4,339 10 10	93 241/3911	..	374	402	7 182/374	..	
Bucks	5,539 16 2	6,304 19 9	133 493/5539	..	408	486	19 78/408	..	
Cambridgeshire	4,848 4 5	5,635 19 5	161 132/4848	..	312	349	11 158/312	..	
Chester	24,722 7 2	25,385 12 2	1 196/24722	..	1,361	1,521	11 1029/1361	..	
Cornwall	3,466 1 5	4,392 2 10	266 484/3466	..	359	416	15 318/359	..	
Cumberland	2,749 11 9	3,330 5 7	21 371/2749	..	..	..	..	..	No account of the number of prosecutions has been kept.
Derbyshire	4,613 1 9	5,490 8 7	19 53/4813	..	348	338	..	2 304/348	This line applies to the two series of years, 1828–1830, and 1831–1833.
Devon	9,977 13 6	8,215 1 6	..	17 3591/9977	1,079	988	..	8 491/1079	
Dorset	2,696 0 9	3,554 6 11	312 224/2696	..	386	472	22 108/386	..	
Durham	5,096 5 5	7,422 0 0	455 359/5096	..	308	460	49 109/308	..	
Essex	11,337 2 2	10,024 6 11	..	11 6583/11337	1,259	1,357	7 287/1259	..	
Gloucestershire	14,409 12 7	12,385 12 5	..	14 974/14409	..	..	..	..	The number of prosecutions is not stated.
Hants	9,502 6 8	9,045 0 10	..	4 7692/9502	777	824	6 38/777	..	
Herefordshire	4,030 8 7	3,793 19 0	..	5 4530/4030	358	359	1 1/358	..	
Herts	3,226 19 0	3,103 8 6	..	3 2622/3226	453	468	3 141/453	..	
Huntingdonshire	1,316 13 2	1,262 8 8	..	4 146/1316	88	104	18 18/88	..	
Kent	12,155 2 8	12,531 12 7	3 1135/12155	..	1,349	1,533	13 264/1349	..	
Lancashire	38,628 4 5	40,559 8 3	4 3988/38628	..	3,718	3,945	6 392/3718	..	This line includes two series of two years only to each, viz., 1830–1831, and 1832–1833.
Leicestershire	6,324 1 0	7,524 5 4	18 6198/6324	..	616	569	..	7 388/616	
Lincolnshire	7,718 10 7	8,999 9 3	16 4612/7718	..	662	825	24 412/662	..	
Middlesex	25,392 18 10	22,891 3 3	..	9 21572/25392	..	..	..	..	There are no means of ascertaining the number of prosecutions.
Monmouth	4,106 2 7	3,888 9 2	..	5 4270/4106	330	311	..	5 230/330	
Norfolk	9,991 0 0	11,728 3 0	17 3853/9991	..	958	1,067	11 362/958	..	
Northamptonshire	3,107 0 1	4,227 10 7	36 1148/3107	..	310	355	14 490/310	..	
Northumberland	1,497 0 2	2,230 8 1	48 1334/1497	..	121	142	17 21/121	..	
Notts	6,721 7 3	6,047 18 6	..	10 190/6721	557	555	..	2 200/557	
Oxfordshire	4,628 10 11	5,226 14 0	12 4264/4628	..	..	..	..	..	The number of prosecutions is not stated.
Rutland	288 11 2	265 10 3	..	7 284/288	35	46	31 11/35	..	
Salop	5,585 7 11	7,182 1 7	28 3920/5585	..	392	493	25 400/392	..	
Somerset	16,318 1 7	16,760 2 9	2 1924/16318	..	1,622	1,653	1 478/1622	..	
Staffordshire	16,543 0 3	16,639 17 6	2600/16543	..	1,606	1,742	8 136/1606	..	
Suffolk	6,765 13 3	8,418 14 1	24 2940/6765	..	691	948	37 134/691	..	
Surrey	9,075 18 7	10,370 10 1	14 2450/9075	..	..	..	..	..	The number of prosecutions is not stated.
Sussex	6,749 1 5	6,403 10 10	..	5 855/6749	889	850	..	4 344/889	
Warwickshire	19,903 4 4	14,938 15 4	..	24 18828/19903	1,591	1,522	..	4 536/1591	
Westmorland	587 2 10	739 7 3	25 525/587	..	50	46	..	8	
Wilts	6,975 16 8	6,863 13 3	..	1 4225/6975	967	799	..	17 361/967	
Worcestershire	7,205 15 6	8,692 4 4	20 4600/7205	..	660	787	19 160/660	..	
Yorkshire, East Riding	1,717 9 5	2,761 12 3	60 1380/1717	..	190	267	40 100/190	..	
Yorkshire, North Riding	3,869 18 0	3,834 3 11	..	3500/3869	218	225	3 46/218	..	
Yorkshire, West Riding	30,469 7 5	33,190 9 10	8 2834/30469	..	2,665	3,008	12 2320/2665	..	
	366,388 14 6	379,059 4 5	3 167936/366388	..	28,341	30,498	7 17313/28341	..	
WALES.									
Anglesea	982 7 4	1,174 4 0	19 542/982	..	50	31	..	38	
Brecon	996 3 7	1,204 9 5	20 880/996	..	43	72	67 19/43	..	
Cardiganshire	548 6 4	389 2 1	..	29 8/548	18	26	44 8/18	..	
Carmarthenshire	1,035 3 3	1,974 7 5	90 750/1035	..	..	..	..	..	This line applies to the two series of years, 1827–1829, and 1830–1833, and the number of prosecutions is not stated.
Carnarvonshire	1,024 16 9	2,654 5 7	159 184/1024	..	..	..	..	..	The number of prosecutions is not stated.
Denbighshire	2,032 14 4	3,442 3 8	69 702/2032	..	105	140	33 35/105	..	
Flintshire	1,548 11 2	1,449 10 11	..	6 612/1548	123	68	..	44 55/123	
Glamorganshire	4,491 2 0	3,854 18 10	..	14 826/4491	224	229	2 52/224	..	
Merionethshire	301 5 8	767 15 7	154 246/301	..	15	25	66 10/15	..	
Montgomeryshire	1,567 5 2	1,496 5 9	..	4 532/1567	101	116	14 86/101	..	
Pembrokeshire	1,014 19 9	1,119 4 10	10 360/1014	..	55	78	41 15/55	..	
Radnorshire	866 15 8	796 10 8	..	8 72/866	41	54	31 29/41	..	
	16,409 11 0	20,322 18 9	23 13893/16409	..	775	839	8 200/775	..	

TABLE —Showing the Increase of Expenditure in Assize and Sessions Prosecutions in 37 Counties, immediately after the 58 Geo. III., c. 70 (passed 3d June, 1818) came into full Operation.

Counties.	Expenditure in 1817.	Expenditure in 1819.	Increase per Cent.	Decrease per Cent.
	£. s. d.	£. s. d.		
Bedfordshire	212 19 2	223 18 8	5	..
Berkshire	487 16 0	976 6 9	100	..
Buckinghamshire	547 8 10	1,269 11 3	132	..
Cambridge (Hundred of Wisbeach)	464 6 8	378 7 8	..	18
Cambridge (Hundred of Ely)	1,217 7 0	140 5 8	..	88
Cambridge (exclusive of Ely)	241 10 4	155 9 7	..	35
Cheshire	2,648 11 5	3,544 17 6	33	..
Cornwall	825 12 4	794 1 2	..	3
Cumberland	648 13 0	519 1 2	..	19
Devonshire	2,518 6 0	2,872 8 0	14	..
Dorsetshire	392 14 2	571 12 8	45	..
Durham	970 6 11	1,498 1 3	54	..
Gloucestershire	2,471 3 10	2,657 14 8	7	..
Hampshire	816 11 9	994 15 0	21	..
Herefordshire	930 12 0	1,262 10 6	35	..
Hertfordshire	291 5 5	284 6 3	..	2
Carried forward	15,685 4 10	18,143 7 9		

Counties.	Expenditure in 1817.	Expenditure in 1819.	Increase per Cent.	Decrease per Cent.
	£. s. d.	£. s. d.		
Brought forward	15,685 4 10	18,143 7 9		
Huntingdonshire	229 10 11	183 18 0	..	20
Kent	1,619 18 2	2,228 14 4	37	..
Leicestershire	793 17 2	1,030 14 10	29	..
Norfolk	1,432 3 6	1,707 1 10	19	..
Northumberland	467 6 1	1,297 5 3	177	..
Nottinghamshire (North Division)	292 13 0	370 5 0	26	..
Nottinghamshire (South Division)	674 9 4	1,073 3 2	59	..
Rutland	137 7 2	53 11 6	..	61
Shropshire	1,537 16 7	1,746 19 11	13	..
Somersetshire	2,458 8 1	3,375 14 10	37	..
Staffordshire	2,140 10 11	2,505 19 4	17	..
Suffolk (Beccles Division)	226 18 6	475 8 8½	110	..
,, (Bury Division)	547 4 2	1,024 8 0	87	..
,, (Ipswich Division)	251 9 3	431 7 11	71	..
,, (Woodbridge Division)	156 17 7½	155 7 9	..	[illegible]
Carried forward	28,651 15 3½	35,813 8 1½		

Counties.	Expenditure in 1817.	Expenditure in 1819.	Increase per Cent.	Decrease per Cent.
	£. s. d.	£. s. d.		
Brought forward	28,651 15 3½	35,813 8 1½		
Surrey	1,574 6 6	1,232 13 0	..	22
Sussex (Western Division)	95 13 0	288 0 6	203	..
,, (Eastern Division)	288 1 4	639 17 10	121	..
Wiltshire	1,007 7 6	1,977 4 0	97	..
Worcestershire	864 19 7	1,590 13 10	84	..
Yorkshire (East Riding)	287 14 0	319 14 0	11	..
,, (North Riding)	856 19 5	1,035 8 10	20	..
,, (West Riding)	5,342 0 10½	8,886 7 0½	66	..
Brecknockshire	514 8 4	219 5 3	..	57
Cardiganshire	459 18 4	485 10 5	5	..
Flintshire	208 12 10	143 8 4	..	31
Glamorganshire	843 16 5	1,198 18 11	42	..
Merionethshire	37 5 9	226 2 8	510	..
Montgomeryshire	334 4 7	572 5 3	71	..
Pembrokeshire	363 2 9	306 12 5	..	15
Total	41,730 6 5	54,925 10 4	31	

TABLE

Showing the Progress of Expenditure for Prosecutions in 27 Counties, immediately after the 7 Geo. IV. c. 64 (pass 26th May 1826) came into full Operation.

ASSIZE PROSECUTIONS.

Counties.	Expenditure in 1825.	Expenditure in 1827.	Increase per Cent.	Decrease per Cent.	No. of Cases in 1825.	No. of Cases in 1827.	Increase per Cent.	Decrease per Cent.	Expense per Case in 1825.	Expense per Case in 1827.	Increase per Cent.	Decrease
	£. s. d.	£. s. d							£. s. d.	£. s. d.		
Berkshire	542 14 8	603 10 7	11	..	36	39	8	..	15 1 6	15 9 6	2	..
Buckinghamshire	1,061 6 10	917 7 10	..	13	54	67	24	..	19 13 1	13 13 10	..	30
Cambridgeshire (exclusive of Ely)	256 6 6	195 5 0	..	23	22	20	..	9	11 13 0	9 15 3	..	16
,, (part of Ely)	120 18 8	23 0 2	..	80	5	2	..	60	24 3 8	11 10 1	..	52
Cheshire	1,621 5 0	3,246 3 4	100	..	58	68	17	..	27 19 0	47 14 9	70	..
Cornwall	589 11 6	869 15 4	47	..	41	30	..	26	14 7 7	28 19 11	101	..
Derbyshire	696 7 1	963 13 5	38	..	38	52	36	..	18 6 6	18 10 7	1	..
Devonshire	2,707 19 0	2,985 0 0	10	..	157	154	..	1	17 4 11	19 7 7	12	..
Dorsetshire	464 7 6	403 1 0	..	13	35	33	..	5	13 5 4	12 4 3	..	7
Essex (West)	2,783 17 8	2,692 1 9	..	3	185	209	12	..	15 0 11	12 18 6	..	14
Hampshire	1,395 13 6	1,516 8 6	8	..	85	114	34	..	16 8 4	13 6 0	..	18
Hertfordshire	733 6 6	925 12 3	26	..	71	81	14	..	10 6 6	11 8 6	10	..
Huntingdonshire	96 13 6	64 15 4	..	33	12	8	..	33	8 1 1	8 1 11	$\frac{1}{2}$	..
Leicestershire	812 0 2	1,257 1 2	34	..	51	94	84	..	15 18 5	13 7 5	..	16
Lincolnshire, Kirton, and Skirbeck	160 2 2	20 0 6	..	87	7	1	..	85	22 17 5	20 0 6	..	12
,, Kesteven	177 9 0	64 9 4	..	63	7	3	..	57	25 7 0	21 9 9	..	15
Norfolk	1,195 2 0	1,472 16 0	24	..	69	71	2	..	17 6 4	20 14 10	19	..
Northamptonshire	854 11 6	1,304 4 3	52	..	42	77	83	..	20 6 11	16 18 9	..	16
Nottinghamshire (South)	222 8 4	282 6 6	27	..	10	13	30	..	22 4 10	21 14 4	..	2
Rutland	44 2 8	73 8 1	65	..	5	2	..	60	8 16 6	36 14 0	317	..
Salop	568 9 6	1,428 19 6	151	..	31	76	145	..	18 6 9	18 16 0	2	..
Somersetshire	1,881 8 10	3,684 5 0	95	..	164	260	58	..	11 9 5	14 3 4	23	..
Suffolk (Beccles division)	152 12 6	342 8 6	125	..	8	11	37	..	19 1 6	31 2 7	63	..
,, (Woodbridge division)	71 3 6	119 4 6	67	..	4	8	100	..	17 15 10	14 18 0	..	16
Sussex (East)	822 6 6	746 10 5	..	9	74	61	..	17	11 2 3	12 4 9	9	..
Wiltshire	1,503 10 6	1,805 11 0	20	..	94	113	20	..	15 19 10	15 19 6	..	$\frac{1}{2}$
Yorkshire (N. R.)	669 7 11	384 15 8	..	42	20	13	..	35	33 9 4	29 11 11	..	11
,, (W. R.)	2,050 15 2	3,748 0 8	82	..	44	87	97	..	46 12 1	43 1 7	..	7
Denbighshire	308 17 8	341 1 0	10	..	15	15	..	..	20 11 10	22 14 8	10	..
Flintshire	117 3 10	184 4 2	57	..	8	12	50	..	14 12 11	15 7 0	5	..
Radnorshire	679 9 0	369 13 4	..	45	20	12	..	40	33 19 5	30 16 1	..	9
Total	25,361 8 8	33,034 14 1	$30\frac{6470}{25361}$	..	1,472	1,806	$22\frac{1016}{1472}$	..	17 4 7	18 5 9	$6\frac{38}{344}$	..

SESSIONS PROSECUTIONS.

Counties.	Expenditure in 1825.	Expenditure in 1827.	Increase per Cent.	Decrease per Cent.	No. of Cases in 1825.	No. of Cases in 1827.	Increase per Cent.	Decrease per Cent.	Expense per Case in 1825.	Expense per Case in 1827.	Increase per Cent.	Decrease per Cent.
	£. s. d.	£. s. d.							£. s. d.	£. s. d.		
Bedfordshire	282 19 0	333 9 10	18	..	50	83	66	..	5 13 2	4 0 4	..	29
Buckinghamshire	369 10 4	448 0 7	21	..	59	66	11	..	6 5 3	6 15 9	8	..
Cambridgeshire (exclusive of Ely)	82 6 0	217 9 7	164	..	13	33	153	..	6 6 7	6 11 9	3	..
,, (part of Ely)	11 10 4	34 19 1	209	..	1	2	100	..	11 10 4	17 9 6	51	..
Cheshire	2,002 8 6	4,576 1 6	128	..	179	339	89	..	11 3 8	13 9 11	20	..
Cornwall	139 14 0	251 1 5	80	..	39	70	79	..	3 11 7	3 11 8	..	..
Derbyshire	207 13 2	538 6 10	159	..	27	57	111	..	7 13 9	9 8 10	22	..
Devonshire	884 16 0	1,255 8 1	41	..	144	159	10	..	6 2 10	7 17 10	28	..
Dorsetshire	130 13 10	283 7 9	117	..	30	74	146	..	4 7 6	3 16 7	..	12
Essex (West)	718 12 0	677 15 5	..	5	156	158	1	..	4 12 0	4 5 9	..	7
Hampshire	292 17 10	446 18 1	52	..	78	92	17	..	3 15 1	4 17 1	29	..
Hertfordshire	71 12 2	122 2 2	71	..	29	44	51	..	2 9 4	2 15 6	12	..
Huntingdonshire	63 10 3	105 15 1	66	..	12	17	41	..	5 5 10	6 4 5	18	..
Leicestershire	493 18 2	992 10 2	101	..	37	90	143	..	13 6 5	11 0 6	..	17
Lincolnshire, Kirton, and Skirbeck	106 17 8	119 5 2	12	..	12	18	50	..	8 18 1	6 12 6	..	25
,, Kesteven	61 3 5	230 12 8	277	..	11	46	318	..	5 11 2	5 0 3	..	9
Norfolk	766 3 6	1,236 7 8	61	..	164	200	21	..	4 13 5	6 3 7	32	..
Northamptonshire	49 2 1	113 9 4	130	..	15	27	80	..	3 5 5	4 4 0	29	..
Nottinghamshire (South)	629 12 1	1,189 5 7	89	..	105	117	11	..	5 19 11	10 3 3	70	..
Rutland	1 4 6	63 1 11	5,050	..	1	13	1,200	..	1 4 6	4 17 0	304	..
Salop	262 7 9	428 8 11	63	..	33	52	57	..	7 19 0	8 4 9	3	..
Somersetshire	1,346 1 2	1,729 17 4	28	..	236	306	29	..	5 14 0	5 13 0	..	$\frac{1}{2}$
Suffolk (Beccles division)	84 4 0	118 7 2	40	..	25	24	..	4	3 7 4	4 18 7	46	..
,, (Woodbridge division)	137 8 6	99 16 2	..	27	25	22	..	12	5 9 11	4 10 8	..	17
Sussex (East)	345 9 6	587 0 3	70	..	65	115	76	..	5 6 3	5 2 1	..	3
Wiltshire	219 17 2	559 6 5	155	..	94	128	36	..	2 6 9	4 7 4	89	..
Yorkshire (N. R.)	592 5 2	1,026 2 0	73	..	48	75	56	..	12 6 9	13 13 7	10	..
,, (W. R.)	2,454 19 10	4,164 19 9	69	..	451	665	47	..	5 8 10	6 5 3	15	..
Denbighshire	61 14 10	101 11 8	65	..	5	8	60	..	12 6 11	12 13 11	2	..
Flintshire	49 12 11	114 18 10	132	..	4	15	275	..	12 8 2	7 13 3	..	38
Radnorshire	58 11 4	30 6 8	..	48	6	2	..	66	9 15 2	15 3 4	55	..
Total	12,978 17 0	22,196 3 1	$71\frac{362}{12978}$	..	2,154	3,117	$44\frac{1521}{2154}$	..	6 0 6	7 2 5	$18\frac{1}{12}$	..

ASSIZES, 1833.

Analytical View of the Expense of Prosecutions tried at the Assizes in the Year 1833, and defrayed out of the County Rates.

HOME CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Essex	1,375 11 7	108	12 14 8 40/108
Hertford	812 4 6	73	11 2 6 33/73
Kent	3,014 17 3	224	13 9 2 188/224
Surrey	2,141 6 0	179	11 19 3 12/179
Sussex	1,309 16 7	108	12 2 6 100/108
Total	8,653 15 11	692	12 10 1 184/692

MIDLAND CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Derbyshire	1,067 4 7	53	20 2 8
Leicestershire	1,258 5 1	64	19 13 2
Lincolnshire	1,338 8 0	53	25 5 0
Northamptonshire	1,367 2 10	59	23 3 5
Notts	1,188 17 0	46	25 16 10
Rutland	46 3 0	4	11 10 9
Warwickshire	1,999 9 1	137	14 11 10
Total	8,265 9 7	416	19 17 4

NORFOLK CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Bedfordshire	571 9 6	36	15 17 5
Bucks	1,084 4 9	59	18 7 6
Cambridgeshire	685 11 1	30	22 17 0
Huntingdonshire	233 3 4	15	15 10 10
Norfolk	1,815 8 4	76	23 17 8
Suffolk	556 12 6	16	34 15 9
Total	4,946 9 6	232	21 6 5

NORTHERN CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Cumberland	381 4 5	24	15 17 8
Northumberland	588 9 0	24	24 10 4
Westmorland	155 19 0	6	25 19 10
Yorkshire	5,867 16 7	127	46 4 0
Total	6,993 9 0	181	38 12 9

OXFORD CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Berks	678 19 11	33	20 11 6
Gloucestershire	4,569 7 10	240	19 0 9
Herefordshire	1,049 11 0	70	14 19 10
Monmouthshire	784 13 10	52	15 1 9
Oxfordshire	1,154 0 9	76	15 3 8
Salop	1,313 15 0	61	21 10 8
Staffordshire	3,556 7 2	201	17 13 10
Worcestershire	1,026 14 11	55	18 13 4
Total	14,133 10 5	788	17 18 8

WESTERN CIRCUIT.

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Cornwall	1,318 9 9	48	27 9 4
Devon	1,557 14 10	89	17 10 0
Dorset	578 2 7	47	12 6 0
Hants	1,932 12 10	95	20 6 10
Somersetshire	4,055 2 6	227	17 17 3
Wiltshire	1,712 9 0	96	17 16 9
Total	11,154 11 6	602	18 10 7

SUMMARY OF FIVE CIRCUITS.*

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Midland Circuit	8,265 9 7	416	19 17 4
Norfolk do.	4,946 9 6	232	21 6 5
Northern do.	6,993 9 0	181	38 12 9
Oxford do.	14,133 10 5	788	17 18 8
Western do.	11,154 11 6	602	18 10 7
Total	45,493 10 0	2,219	20 10 0

DURHAM (COUNTY PALATINE).

	Total Expenditure in Prosecutions.	No. of Prosecutions.	Average Expense of each Prosecution.
	£. s. d.		£. s. d.
Durham	1,285 17 0	59	21 15 10

* The Home Circuit is not included in the Summary, the expenses on this being much lower than on the other Circuits, and its third or Winter Assize being peculiar to itself.

ASSIZES, 1833.—ANALYSIS.

HOME CIRCUIT.

	ESSEX.				HERTFORD.				KENT.				SURREY.				SUSSEX.				TOTAL.			
	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.
	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.
Expenses certified by committing magistrates	335	7	11	3 2 1¼ 32/108	117	1	0	1 12 0¾ 21/73	567	8	7	2 10 7¾ 188/224	161	17	2	0 18 1 12/179	214	2	1	1 19 7¾ 16/108	1,395	16	9	2 0 4 202/692
Attorneys' charges or allowances	80	11	8	0 14 11 32/108	54	18	0	0 15 0 71/73	170	14	8	0 15 2¾ 160/224	151	15	4	0 16 11½ 169/179	66	10	0	0 12 3¾ 12/108	524	9	8	0 15 1¾ 520/692
Payment to counsel and clerk	116	5	6	1 1 6¼ 60/108	70	4	0	0 19 2¾ 73/73	214	4	6	0 19 1½ 214/224	210	4	6	1 3 5¾ 83/179	95	17	6	0 17 9 24/108	706	16	0	1 0 5 688/692
Fees to clerk of indictments	31	15	6	0 5 10½ 48/108	19	3	6	0 5 3 12/73	56	19	6	0 5 1 40/224	49	13	0	0 5 6½ 80/179	30	8	0	0 5 7½ 24/108	187	19	6	0 5 5 536/692
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	36	9	0	0 6 9	28	1	0	0 7 8 64/73	57	14	0	0 5 1¾ 64/224	81	14	6	0 9 1½ 54/179	20	4	6	0 3 8¾ 24/108	224	3	0	0 6 5½ 664/692
Fees to clerk of assize subsequent to conviction	150	12	6	1 7 10½ 96/108	114	5	0	1 11 3½ 84/73	327	11	6	1 9 2¾ 200/224	200	15	6	1 2 5 140/179	170	2	6	1 11 6 24/108	963	7	0	1 7 10 304/692
Fees on acquittal or discharge	25	11	0	0 4 8¾ 12/108	26	3	0	0 7 1¾ 65/73	41	5	0	0 3 8 176/224	45	19	0	0 5 1½ 178/179	21	7	0	0 3 11¼ 84/108	160	5	0	0 4 7½ 208/692
Fees to judges' officers, including crier Bailiffs' fees	42	8	6	0 7 10¼ 12/108	32	7	6	0 8 10¼ 65/73	94	15	6	0 8 5½ 40/224	73	12	0	0 8 2½ 130/179	49	1	6	0 9 1 24/108	292	5	0	0 8 5¼ 300/692
Carriage and postage of depositions, and copies of depositions	3	10	0	0 0 7¾ 12/108	3	5	0	0 0 10½ 54/73	3	10	0	0 0 3¾	2	5	0	0 0 3 12/179	3	0	0	0 0 6½ 72/108	15	10	0	0 0 5¼ 348/692
Loss of time, and maintenance of witnesses and prosecutors. Travelling expenses, and mileage of ditto	551	7	6	5 2 1¼ 12/108	346	2	0	4 14 9¾ 38/73	1,470	16	0	6 11 3¾ 86/224	1,162	17	0	6 9 11 92/179	637	4	6	5 18 0 24/108	4,168	7	0	6 0 5½ 472/692
Other charges not included under any of the foregoing heads	1	12	6	0 0 3½ 48/108	0	14	6	0 0 2¼ 30/73	9	18	0	0 0 10½ 86/224	0	13	0	0 0 0¾ 87/179	1	19	0	0 0 4¼ 36/108	14	17	0	0 0 5 416/692
Total	1,375	11	7	12 14 8¾ 40/108	812	4	6	11 2 6¼ 23/73	3,014	17	3	13 9 2 188/224	2,141	6	0	11 19 3 12/179	1,309	16	7	12 2 6½ 100/108	8,653	15	11	12 10 1¼ 184/692

MIDLAND CIRCUIT.

	DERBYSHIRE.				LEICESTERSHIRE.				LINCOLNSHIRE.				NORTHAMPTONSHIRE.				NOTTS.				RUTLAND.				WARWICKSHIRE.				TOTAL.			
	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecutions.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.	Total Amount on Prosecutions.			Average Amount on each Prosecution.
	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.	£.	s.	d.	£. s. d.
Expenses certified by committing magistrates	152	7	7	2 17 6 4/53	304	4	4	4 15 0 3¾ 16/64	273	14	0	5 3 3¼ 31/53	263	5	6	4 9 2¾ 47/59	289	1	1	6 5 8 20/46	0	2	3	0 9 0 8/137	284	5	8	2 1 6 8/137	1,567	7	2	3 15 4 408/416
Attorneys' charges or allowances	153	5	4	2 17 10 53/53	200	18	10	3 2 9½ 8/64	135	19	10	2 11 3¾ 13/53	195	9	0	3 6 3 12/59	202	14	9	4 8 1¾ 2/46	8	18	4	2 4 7 31/137	385	10	11	2 16 3¼ 87/137	1,282	17	0	3 1 8 376/416
Payment to counsel and clerk	113	7	0	2 2 9¼ 53/53	137	19	0	2 3 1¼ 16/64	113	7	0	2 2 9¼ 7/53	137	3	2	2 6 5¾ 48/59	110	19	0	2 8 2½ 2/46	6	13	6	1 13 4½	109	7	0	0 15 11½ 31/137	728	15	8	1 15 0¼ 340/416
Fees to clerk of indictments	14	4	6	0 5 4¼ 35/53	14	1	6	0 0 4¾ 8/64	18	9	6	0 6 11½ 34/53	15	8	6	0 5 2½ 58/59	12	14	0	0 5 6¼ 2/46	8	0	0	2 0 0	33	3	0	0 4 10 30/137	116	1	0	0 5 6¾ 336/416
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	47	16	0	0 18 0¼ 43/53	67	6	10	1 1 0½ 6/64	52	15	8	0 19 11 4/53	66	16	4	1 2 7¾ 11/59	48	13	6	1 1 1¾ 38/46	3	18	6	0 19 7½	126	4	4	0 18 5 69/137	413	11	2	0 19 10½ 152/416
Fees to clerk of assize subsequent to conviction	42	0	0	0 15 10 40/53	54	12	0	0 17 0 3¾	44	2	0	0 16 7½ 43/53	46	4	0	0 15 7¾ 43/59	40	7	4	0 17 6½ 20/46	1	1	0	0 5 3	142	16	0	1 0 10 88/137	371	2	4	0 17 10 176/416
Fees on acquittal or discharge	25	6	8	0 9 6½ 46/53	30	0	0	0 9 4½	11	6	8	0 4 3¼ 15/53	18	13	4	0 6 3¾ 45/59	28	13	4	0 12 5½ 12/46	3	6	8	0 16 8	44	6	8	0 6 5½ 9/137	161	13	4	0 7 9¼ 32/416
Fees to judges' officers, including crier	21	6	0	0 8 0¼ 43/53	25	11	0	0 7 11¾ 16/64	21	18	0	0 8 3 26/53	28	2	0	0 9 6¼ 12/59	18	15	6	0 8 1¾ 38/46	2	13	6	0 13 4½	54	18	0	0 8 0 66/137	173	4	0	0 8 3¾ 280/416
Bailiffs' fees	5	3	0	0 1 11¼ 13/53	6	8	0	0 2 0	5	0	0	0 1 10½ 39/53	5	17	0	0 1 11¾ 11/59	4	9	0	0 1 11 40/46	0	8	0	0 2 0	13	9	0	0 1 11½ 31/137	40	14	0	0 1 11¼ 384/416
Carriage and postage of depositions, and copies of depositions	4	6	0	0 1 7¼ 47/53	1	6	8	0 0 5	3	0	0	0 1 1½ 18/53	5	0	0	0 1 8¼ 21/59	2	0	0	0 0 10¼ 34/46	.	.		. .	6	0	0	0 0 10½ 6/137	21	12	8	0 1 0¼ 384/416
Loss of time, and maintenance of witnesses and prosecutors	487	1	6	9 3 9½ 26/53	415	16	11	6 9 11¼ 44/64	658	15	4	12 8 7 29/53	582	1	0	9 17 3½ 38/59	423	2	6	9 3 11½ 20/46	10	14	6	2 13 7½	799	8	6	5 16 8¼ 111/137	3,377	0	3	8 2 4¼ 41/416
Travelling expenses, and mileage of ditto																																
Other charges not included under any of the foregoing heads	1	1	0	0 0 4¾ 1/53	.	.		. .	.	.		. .	3	3	0	0 1 0¾ 15/59	7	7	0	0 3 2¼ 18/46	.	.		. .	.	.		. .	11	11	0	0 0 6½ 272/416

NORTHERN CIRCUIT.

	BEDFORDSHIRE.		BUCKS.		CAMBRIDGESHIRE.		HUNTINGDONSHIRE.		NORFOLK.		SUFFOLK.		TOTAL.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
Expenses certified by committing magistrates'	£. s. d. 91 11 10	£. s. d. 2 10 10½ 4/6	£. s. d. 221 2 9	£. s. d. 3 14 11½ 19/36	£. s. d. 141 2 5	£. s. d. 4 14 0¾ 26/36	£. s. d. 66 8 4	£. s. d. 4 8 6¾ 10/15	£. s. d. 275 6 1	£. s. d. 3 12 5¼ 49/76	£. s. d. 94 5 4	£. s. d. 5 17 10	£. s. d. 889 16 9	£. s. d. 3 16 8½ 39/76
Attorneys' charges or allowances	34 2 10	0 18 11¾ 5/6	88 1 0	1 9 10 36/36	75 11 0	2 10 4¼ 15/36	21 1 6	1 8 1 12/15	95 16 6	1 5 2¾ 22/76	29 7 2	1 16 8¼ 4/15	344 0 0	1 9 7¾ 197/304
Payment to counsel and clerk	40 4 6	1 2 4 6/6	75 19 6	1 5 9 12/36	76 9 6	2 10 11¾ 6/36	23 6 0	1 11 0¾ 12/15	110 12 7	1 9 11¾ 38/76	33 2 6	2 1 4¾ 8/15	359 14 7	1 11 0 241/304
Fees to clerk of indictments	24 16 0	0 13 9¼ 3/8	33 12 0	0 11 4½ 42/36	28 9 6	0 18 11¾ 6/36	7 3 0	0 9 6¼ 2/15	47 18 0	0 12 7¾ 7/76	8 15 6	0 10 11½ 8/15	150 14 0	0 12 11¾ 166/304
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	36 7 2	1 0 2¼ 6/8	62 7 4	1 1 1½ 46/36	36 6 0	1 4 2¼ 18/36	15 15 8	1 1 0½ 3/15	86 6 8	1 2 8½ 40/76	21 2 8	1 6 5	258 5 6	1 2 3 168/304
Fees to clerk of assize subsequent to conviction	35 14 0	0 19 10	50 0 0	0 16 11½ 33/36	12 12 0	0 8 4⅗ 6/36	13 13 0	0 18 2¼ 9/15	61 19 0	0 16 3½ 40/76	15 15 0	0 19 8¼	189 13 0	0 16 4 179/304
Fees on acquittal or discharge	10 0 8	0 5 6⅔ 5/6	21 2 0	0 7 1⅔ 12/36	11 4 0	0 7 5½ 12/36	2 4 0	0 2 11 12/15	19 9 4	0 5 1¼ 26/76	3 12 0	0 4 6	67 12 0	0 5 9¾ 133/304
Fees to judges' officers, including crier	15 13 0	0 8 8½ 3/8	26 12 6	0 9 0½ 17/36	17 10 0	0 11 8	7 1 0	0 9 4⅗ 2/15	35 5 0	0 9 3¼ 20/76	7 19 0	0 9 11¼	110 0 6	0 9 5⅘ 201/304
Bailiffs' fees	3 12 0	0 2 0	5 10 0	0 1 10¼ 20/36	2 18 0	0 1 11 24/36	1 10 0	0 2 0	7 16 0	0 2 0½ 20/76	1 12 0	0 2 0	22 18 0	0 1 11½ 170/304
Carriage and postage of depositions, and copies of depositions	0 18 0	0 0 6	2 3 8	0 0 8¾ 31/36	0 15 2	0 0 6 8/36	0 1 4	0 0 1 4/15	2 18 8	0 0 9¼ 4/76	0 15 10	0 0 11¾ 6/15	7 12 8	0 0 7¾ 130/304
Loss of time and maintenance of witnesses and prosecutors	278 9 6	7 14 8½	497 14 0	8 8 8½ 19/36	282 13 6	9 8 5¼ 18/36	74 19 6	4 19 11½ 6/15	1,072 0 6	14 2 1¼ 28/76	340 5 6	21 5 4 8/15	2,546 2 6	10 19 5¾ 189/304
Travelling expenses and mileage of ditto														
Other charges not included under any of the foregoing heads														
Total	571 9 6	15 17 5¾ 1/3	1,084 4 9	18 7 6¼ 19/36	685 11 1	22 17 0¼ 23/36	233 3 4	15 10 10½ 19/15	1,815 8 4	23 17 8¾ 44/76	556 12 6	34 15 9¼ 8/15	4,946 9 6	21 6 5 4/304

	CUMBERLAND.		NORTHUMBERLAND.		WESTMORLAND.		YORKSHIRE.		TOTAL.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
Expenses certified by committing magistrates	£. s. d. 32 14 2	£. s. d. 1 7 3 3/6	£. s. d. 55 5 6	£. s. d. 2 6 0¾	£. s. d. 8 13 8	£. s. d. 1 8 11¼ 2/6	£. s. d. 469 7 0	£. s. d. 3 13 10¾ 107/137	£. s. d. 566 0 4	£. s. d. 3 2 6½ 44/137
Attorney's charges or allowances	121 0 6	5 0 10¼	179 5 0	7 9 4½	44 11 6	7 8 7	1,123 1 7	8 16 10½ 53/137	1,467 18 7	8 2 2¼ 127/137
Payment to counsel and clerk	65 11 6	2 14 7¾	97 3 6	4 0 11⅔	36 15 6	6 2 7	700 4 0	5 10 3 109/137	899 14 6	4 19 5 74/137
Fees to clerk of indictments	10 0 6	0 8 4¼	15 5 6	0 12 8¾	8 7 6	1 7 11	87 12 0	0 13 9½ 22/137	121 5 6	0 13 4¾ 44/137
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	20 4 8	0 16 10¼ 2/6	23 18 0	0 19 11	5 5 6	0 17 7	116 5 6	0 18 3½ 118/137	165 13 8	0 18 3½ 139/137
Fees to clerk of assize subsequent to conviction	17 12 0	0 14 8	24 0 8	1 0 0¼ 2/6	4 2 8	0 13 9¼ 2/6	139 3 8	1 1 11 13/137	184 19 0	1 0 5 124/137
Fees on acquittal or discharge	10 0 0	0 8 4	5 5 4	0 4 4½ 4/6	3 16 0	0 12 8	27 12 0	0 4 4 80/137	46 13 4	0 5 1¾ 91/137
Fees to judges' officers, including crier	10 16 0	0 9 0	11 13 0	0 9 8½	2 19 0	0 9 10	69 14 6	0 10 11⅔ 124/137	95 2 6	0 10 6 126/137
Bailiffs' fees	1 4 0	0 1 0	1 4 0	0 1 0	0 5 0	0 0 10	6 15 0	0 1 0¾ 3/137	9 8 0	0 1 0½ 133/137
Carriage and postage of deposition, and copies of depositions	0 1 6	0 0 0¾			0 0 10	0 0 1½ 1/8	4 18 2	0 0 9¼ 13/137	5 0 6	0 0 6½ 118/137
Loss of time, and maintenance of witnesses and prosecutors	60 11 0	2 10 5½	120 7 6	5 0 3¾	24 1 6	4 0 3	2,216 9 7	17 9 0½ 62/137	2,421 9 7	13 7 6¾ 37/137
Travelling expenses and mileage of ditto	30 12 0	1 5 6	51 9 0	2 2 10½	16 9 4	2 14 10½ 1/8	882 1 0	6 18 10¾ 80/137	980 11 4	5 8 4 123/137
Other charges not included under any of the foregoing heads	0 16 7	0 0 8¼ 1/8	3 12 0	0 3 0	0 11 0	0 1 10	24 12 7	0 3 10½ 23/137	29 12 2	0 3 3¼ 7/137
Total	381 4 5	15 17 8 1/8	588 9 0	24 10 4½	155 19 0	25 19 10	5,867 16 7	46 4 0¾ 31/137	6,993 9 0	38 12 9 80/137

ASSIZES, 1833.—ANALYSIS.

OXFORD CIRCUIT.

	BERKS.		GLOUCESTERSHIRE.		HEREFORDSHIRE.		MONMOUTHSHIRE.		OXFORDSHIRE.		SALOP.		STAFFORDSHIRE.		WORCESTERSHIRE.		TOTAL.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	89 13 6	2 14 4 24/33	853 5 9	3 11 1 36/210	187 9 0	2 13 6 52/70	147 9 4	2 16 8 24/32	163 14 10	2 3 1 24/76	178 16 0	2 18 7 84/201	548 13 0	2 14 7 84/201	164 3 7	2 19 8 37/55	2,333 5 0	2 19 2 106/197
Attorneys' charges or allowances	122 14 5	3 14 4 2/33	791 18 11	3 5 11 188/210	255 10 5	3 13 0 20/70	170 0 10	3 5 4 12/52	264 16 3	3 9 8	256 5 2	4 4 0 56/61	637 18 11	3 3 5 182/201	217 18 0	3 19 2 12/55	2,717 2 11	3 8 11 45/197
Payment to counsel and clerk	71 3 0	2 3 1 37/66	390 0 6	1 12 6 21/210	116 5 6	1 13 2 44/70	77 15 6	1 9 10 44/52	134 1 6	1 15 3 44/76	120 9 0	1 19 5 37/61	311 17 6	1 11 0 111/201	99 6 0	1 16 1 13/55	1,320 18 6	1 13 6 49/197
Fees to clerk of indictments	18 14 2	0 11 4 8/33	65 15 2	0 5 5 8/210	21 2 0	0 6 0 26/70	12 2 0	0 4 7 20/52	26 1 6	0 6 10 28/76	23 10 4	0 7 8 6/61	66 16 2	0 6 7 17/201	17 1 6	0 6 2 3/55	251 2 10	0 6 4 189/197
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	23 9 6	0 14 2 30/33	144 6 10	0 12 0 88/210	44 10 6	0 12 8 51/70	31 19 6	0 12 3 16/52	48 17 8	0 12 10 36/76	45 2 0	0 14 9 47/61	124 12 2	0 12 4 20/201	37 16 6	0 13 9 12/55	500 14 8	0 12 8 6/197
Fees to clerk of assize subsequent to conviction	8 10 0	0 5 1 9/33	26 12 0	0 2 2 96/210	14 0 0	0 4 0	7 14 0	0 2 11 8/52	29 8 0	0 7 8 28/76	8 8 0	0 2 9 12/61	37 6 4	0 3 8 46/201	10 17 0	0 3 11 21/55	142 15 4	0 3 7 183/197
Fees on acquittal or discharge	11 10 0	0 6 11 18/33	64 0 0	0 5 4	17 5 4	0 4 11 56/70	8 17 8	0 3 5	17 19 8	0 4 8 42/76	23 10 0	0 7 8 51/61	56 11 8	0 5 7 50/201	14 3 4	0 5 1 15/55	213 17 8	0 5 5 112/197
Fees to judges' officers, including crier	12 16 6	0 7 9 3/33	77 9 6	0 6 5 210/210	23 0 1	0 6 6 34/70	16 1 6	0 6 2 40/52	36 15 0	0 9 8 16/76	23 1 0	0 7 6 46/61	66 2 3	0 6 6 183/201	20 4 0	0 7 4 32/55	275 9 10	0 6 11 137/197
Bailiffs' fees	3 6 0	0 2 0	22 18 0	0 1 10 144/210	6 14 0	0 1 10 63/70	4 10 0	0 1 8 4/52	7 12 0	0 2 0	5 18 0	0 1 11 52/61	18 6 0	0 1 9 81/201	5 8 0	0 1 11 14/55	74 12 0	0 1 10 174/197
Carriage and postage of depositions and copies of depositions	0 14 0	0 0 5 12/33	4 0 0	0 0 4	0 18 0	0 0 3 24/70	1 0 0	0 0 4 24/52	. .	. .	. .	. .	2 7 4	0 0 2 61/201	2 0 0	0 0 8 50/55	10 19 4	0 0 3 71/197
Loss of time and maintenance of witnesses and prosecutors	140 11 6	4 5 2 15/33	1,230 18 6	5 2 6 168/210	155 9 0	2 4 4 62/70	120 10 6	2 6 4 4/52	183 5 6	2 8 2 4/76	250 5 0	4 2 0 22/61	887 11 0	4 8 3 9/201	194 14 6	3 10 9 46/55	3,163 5 6	4 0 3 145/197
Travelling expenses and mileage of ditto	159 9 0	4 16 7 18/33	845 12 0	3 10 5 96/210	202 9 0	2 17 10 32/70	184 2 0	3 10 9 40/52	216 19 6	2 17 1 56/76	364 2 0	5 19 4 6/61	790 14 0	3 18 8 96/201	241 12 0	4 7 10 1/55	3,004 19 6	3 16 3 174/197
Other charges not included under any of the foregoing heads	16 8 4	0 9 11 19/33	52 10 8	0 4 4 32/210	4 18 2	0 1 4 22/70	2 11 0	0 0 11 4/52	24 9 4	0 6 5 4/76	14 8 6	0 4 8 1/61	7 10 10	0 0 9 4/201	1 10 6	0 0 6 34/55	124 7 4	0 3 13 101/197
Total	678 19 11	20 11 6 20/33	4,569 7 10	19 0 9 136/240	1,049 11 0	14 19 10 58/70	784 13 10	15 1 9 32/52	1,154 0 9	15 3 8 24/76	1,313 15 0	21 10 8 25/61	3,556 7 2	17 13 10 119/201	1,026 14 11	18 13 4 21/55	14,133 10 5	17 18 8 99/197

WESTERN CIRCUIT.

	CORNWALL.		DEVON.		DORSET.		HANTS.		SOMERSET.		WILTS.		TOTAL.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	282 16 1	5 17 10 1/12	174 5 8	1 19 1 81/89	59 5 1	1 5 2 14/47	317 9 10	3 6 10 32/95	454 2 11	2 0 0 140/227	249 18 0	2 12 0 3/4	1,537 17 7	2 11 1 260/602
Attorneys' charges or allowances	64 4 0	1 6 9	61 10 6	0 13 9 2/3 37/89	33 10 0	0 14 3 12/47	116 5 6	1 4 5 1/2 94/95	246 4 0	1 1 8 1/4 45/227	124 2 0	1 5 10 3/4	645 16 0	1 1 5 1/4 210/602
Payment to counsel and clerk	96 2 0	2 0 0 1/2	92 2 0	1 0 8 1/4 39/89	47 17 0	1 0 4 1/2 17/47	164 19 0	1 14 8 1/2 93/95	321 1 6	1 8 3 1/4 193/227	159 12 6	1 13 3 3/12	881 14 0	1 9 3 1/2 320/602
Fees to clerk of indictments	20 7 0	0 8 5 3/4	42 18 2	0 9 7 1/2 74/89	17 5 6	0 7 4 49/47	62 11 6	0 13 2 32/95	109 5 6	0 9 7 1/2 30/227	48 1 2	0 10 0 7/12	300 8 10	0 9 11 3/4 66/602
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	3 16 0	0 1 7	4 16 0	0 1 0 3/4 69/89	4 0 6	0 1 8 1/2 10/47	11 12 2	0 2 5 1/4 29/95	19 19 0	0 1 9 84/227	10 5 6	0 2 1 1/2 9/12	54 9 2	0 1 9 1/2 508/602
Fees to clerk of assize subsequent to conviction	76 3 0	1 11 8 3/4	117 6 10	1 6 4 1/4 63/89	63 11 6	1 7 0 1/2 26/47	138 11 0	1 9 2 8/95	363 19 6	1 12 0 3/4 83/227	138 12 4	1 8 10 1/2 2/12	898 4 2	1 9 10 216/602
Fees on acquittal or discharge	15 6 8	0 6 4 1/2 8/12	40 13 4	0 9 1 1/2 28/89	36 6 8	0 15 5 1/2 1/47	57 6 8	0 12 0 3/4 33/95	89 7 0	0 7 10 1/4 107/227	56 0 0	0 11 8	295 0 4	0 9 9 1/2 226/602
Fees to judges' officers, including crier	16 4 6	0 6 9 6/12	29 3 0	0 6 6 1/2 38/89	16 0 6	0 6 9 3/4 15/47	33 12 0	0 7 0 3/4 91/95	74 6 0	0 6 6 1/2 70/227	32 16 0	0 6 10	202 2 0	0 6 8 1/2 172/602
Bailiffs' fees	4 9 0	0 1 10 1/4	8 16 0	0 1 11 1/2 82/89	4 10 0	0 1 10 3/4 42/47	8 8 0	0 1 9 83/95	22 11 6	0 1 11 3/4 107/227	9 11 0	0 1 11 3/4 6/12	58 5 6	0 1 11 560/602
Carriage and postage of depositions, and copies of depositions	. .	. .	. .	. .	. .	. .	0 13 0	0 0 1 1/2 54/95	1 8 6	0 0 1 1/2 6/227	. .	. .	2 1 6	0 0 0 3/4 186/602
Loss of time, and maintenance of witnesses and prosecutors	261 17 0	5 9 1 1/4	573 7 0	6 8 10 40/89	166 7 2	3 10 9 1/4 45/47	479 2 6	5 0 10 1/4 66/95	1,377 10 6	6 1 4 1/4 140/227	556 5 0	5 15 10 1/2 6/12	3,414 9 2	5 13 5 592/602
Travelling expenses and mileage of ditto	451 17 0	9 8 3 1/2 6/12	318 0 4	3 11 5 1/2 26/89	129 8 8	2 15 0 3/4 35/47	511 0 0	5 7 6 3/4 75/95	867 1 10	3 16 4 1/2 226/227	319 1 0	3 6 5 1/2 6/12	2,596 8 10	4 6 3 594/602
Other charges not included under any of the foregoing heads	25 7 6	0 10 6 3/4	94 16 0	1 1 3 1/2 59/89	. .	. .	31 1 8	0 6 6 1/2 10/95	108 4 9	0 9 6 1/4 160/227	8 4 6	0 1 8 1/2 3/12	267 14 5	0 8 10 1/2 560/602
Total	1,318 9 9	27 9 4 1/2 8/12	1,557 14 10	17 10 9 1/4 84/89	578 2 7	12 6 0 38/47	1,933 13 10	20 6 10 1/2 95/95	4,055 6 5	17 17 10 227/227	1,622 9 5	36 1 0 12/12	13,065 6 11	130 13 0 602/602

ASSIZES, 1833.—ANALYSIS.

SUMMARY OF FIVE CIRCUITS.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	6,894 6 10	3 2 $1\frac{1}{2}$ $\frac{1510}{2276}$
Attorneys' charges or allowances	6,457 14 6	2 18 $2\frac{1}{4}$ $\frac{1749}{2219}$
Payment to counsel and clerk	4,190 17 3	1 17 $9\frac{1}{4}$ $\frac{1801}{2219}$
Fees to clerk of indictments	939 12 2	0 8 $5\frac{1}{2}$ $\frac{1113}{2219}$
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	1,392 14 2	0 12 $6\frac{1}{2}$ $\frac{1102}{2276}$
Fees to clerk of assize subsequent to conviction	1,786 13 10	0 16 1 $\frac{2186}{2219}$
Fees on acquittal or discharge	784 16 8	0 7 $0\frac{3}{4}$ $\frac{1193}{2219}$
Fees to judges' officers, including crier	855 18 10	0 7 $8\frac{1}{2}$ $\frac{974}{2219}$
Bailiffs' fees	205 17 6	0 1 $10\frac{1}{4}$ $\frac{199}{2219}$
Carriage and postage of depositions and copies of depositions	47 6 8	0 0 5 $\frac{100}{2219}$
Loss of time and maintenance of witnesses and prosecutors	21,504 6 8	9 13 $9\frac{3}{4}$ $\frac{803}{2219}$
Travelling expenses and mileage of ditto		
Other charges not included under any of the foregoing heads*	433 4 11	0 3 $10\frac{3}{4}$ $\frac{963}{2219}$
Total	45,493 10 0	20 10 $0\frac{1}{4}$ $\frac{1571}{2219}$

* The chief charges of this description are for the plans and models occasionally produced in evidence.

DURHAM (COUNTY PALATINE).

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	69 11 6	1 3 7 $\frac{4}{59}$
Attorneys' charges or allowances	292 9 8	4 19 $1\frac{3}{4}$ $\frac{3}{59}$
Payment to counsel and clerk	155 0 0	2 12 $6\frac{1}{2}$ $\frac{2}{59}$
Fees to clerk of indictments	12 0 0	0 4 $0\frac{3}{4}$ $\frac{15}{59}$
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	195 15 4	3 6 $4\frac{1}{4}$ $\frac{21}{59}$
Fees to clerk of assize subsequent to conviction	105 10 8	1 15 $9\frac{1}{2}$ $\frac{9}{59}$
Fees on acquittal or discharge	17 18 8	0 6 $0\frac{3}{4}$ $\frac{27}{59}$
Fees to judges' officers, including crier	39 19 0	0 13 $6\frac{1}{2}$ $\frac{2}{59}$
Bailiffs' fees	. .	. .
Carriage and postage of depositions, and copies of depositions	. .	. .
Loss of time and maintenance of witnesses and prosecutors	262 10 0	4 8 $11\frac{3}{4}$ $\frac{11}{59}$
Travelling expenses, and mileage of ditto	133 15 6	2 5 4 $\frac{49}{59}$
Other charges not included under any of the foregoing heads	1 6 8	0 0 $5\frac{1}{4}$ $\frac{41}{59}$
Total	1,285 17 0	21 15 $10\frac{1}{2}$ $\frac{18}{59}$

SESSIONS, 1833.

ANALYTICAL VIEW of the Expense of Prosecutions tried at the Sessions in the Year 1833, and defrayed out of the County Rates.

ENGLAND.

	Total Expenditure in Prosecutions.	Number of Prosecutions.	Average Amount of each Prosecution.		Total Expenditure in Prosecutions.	Number of Prosecutions.	Average Amount of each Prosecution.
	£. s. d.		£. s. d.		£. s. d.		£. s. d.
Bedford	407 7 7	50	8 2 11¼ 34/50	Middlesex	. .	. .	. .
Berks	670 13 11	90	7 9 0½ 8/90	Monmouth	524 0 6	50	10 9 7½ 14/50
Bucks	. .	. .	. .	Norfolk	2,038 2 10	268	7 12 1 218/268
Cambridge	337 15 1	43	7 17 1 24/43	Northampton	. .	. .	. .
Cheshire	4,175 2 4	394	10 11 11 344/394	Northumberland	313 5 2	28	11 3 9 3/7
Cornwall	763 16 8	105	7 5 5¾ 65/105	Notts	1,037 15 10	103	10 1 6 61/103
Cumberland	639 10 9	52	12 5 11½ 44/52	Oxfordshire	. .	. .	. .
Derbyshire	766 17 3	75	10 4 5¾ 63/75	Rutland	134 6 7	17	7 18 0¼ 11/17
Devon	1,015 12 2	140	7 5 1 24/140	Salop	. .	. .	. .
Dorset	. .	. .	. .	Somerset	1,807 6 11	305	5 18 6 213/305
Durham	1,114 12 2	86	12 19 2½ 12/86	Stafford	2,691 17 7	402	6 13 11 148/402
Essex	2,241 8 5	346	6 9 6½ 336/346	Suffolk	2,096 19 8	331	6 6 2¼ 283/331
Gloucester	. .	. .	. .	Surrey	1,559 11 0	513	3 0 9½ 234/513
Hants	1,433 17 0	189	6 11 8¾ 9/189	Sussex	1,044 0 7	217	4 16 2½ 152/217
Hereford	288 17 6	41	7 0 10¾ 37/41	Warwick	3,119 10 8	372	8 7 8½ 152/372
Herts	. .	. .	. .	Westmorland	. .	. .	. .
Huntingdon	381 14 3	32	11 18 6¾ ¾	Wilts	663 18 8	149	4 9 1¼ 103/149
Kent	2,114 11 6	456	4 12 11¾ 144/456	Worcester	1,994 14 3	194	10 5 7½ 144/194
Lancashire	10,260 5 9	1,279	8 0 5¼ 287/1279	York: East Riding	651 17 4	88	6 8 1¾ 24/88
Leicestershire	. .	. .	. .	—— North Riding	907 6 10	61	14 17 5¾ 32/61
Lincoln—parts of				—— West Riding	. .	. .	. .
Holland	477 11 2	63	7 11 7¼ 5/63	Total of 30 English counties*	49,077 19 9	6,710	7 6 3¼ 3958/6710
—— Kesteven	309 5 5	61	5 1 4¾ 13/61				
—— Lindsey	1,094 6 5	170	9 18 11½ 48/170				

WALES.

	Total Expenditure in Prosecutions.	Number of Prosecutions.	Average Amount of each Prosecution.		Total Expenditure in Prosecutions.	Number of Prosecutions.	Average Amount of each Prosecution.
	£. s. d.		£. s. d.		£. s. d.		£. s. d.
Anglesey	. .	. .	. .	Glamorgan	648 11 10	48	13 10 2¾ 10/12
Brecon	150 6 7	16	9 7 10¾ ¾	Merioneth	138 17 9	6	23 2 11½
Cardigan	89 14 5	6	14 19 0¾ ¾	Montgomery	362 18 0	36	10 1 7¼ ¾
Carmarthen	. .	. .	. .	Pembroke	82 13 2	8	10 6 7¾
Carnarvon	. .	. .	. .	Radnor	71 4 3	8	8 18 0½ ½
Denbigh	214 4 6	11	19 9 6	Total of 9 Welsh counties*	1,980 8 8	157	12 12 3½ 103/157
Flint	221 18 2	18	12 6 6¾ ½				

* No returns had been received from the remaining counties when this table was made up.

	BEDFORD.		BERKS.		BUCKS.		CAMBRIDGE.		CHESHIRE.		CORNWALL.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	132 12 9	2 13 0½ 32/50	182 9 1	2 0 6½ 16/90	No Return.	No Return.	65 8 6	1 10 5 28/43	313 4 2	0 15 10¾ 58/304	267 17 5	2 11 0¼ 41/105
Attorneys' charges and allowances	7 2 0	0 2 10 16/50	90 0 8	1 0 0 2/90			. .	. .	1,483 5 10	3 15 3½ 57/304	112 5 3	1 1 4½ 16/105
Payment to counsel and clerk	5 12 6	0 2 3	32 8 0	0 7 2½ 34/90			. .	. .	462 6 6	1 3 5½ 182/304	. .	. .
Fees to clerk of indictments	. .	. .	25 7 0	0 5 7½ 26/90			. .	. .	103 5 4	0 5 2¾ 212/304	52 10 6	0 10 0 34/105
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	84 15 6	1 13 10¾ 34/50	23 8 6	0 5 2¼ 78/90			. .	. .	99 3 8	0 5 0¼ 262/304	34 12 2	0 6 7 41/105
Fees to ditto subsequent to conviction	. .	. .	. .	. .			73 5 0	1 14 0¾ 15/43	347 15 8	0 17 7¾ 171/304	. .	. .
Fees on acquittal or discharge	49 9 2	0 19 9¼ 30/50	. .	. .			25 19 6	0 12 0¾ 39/43	16 5 0	0 0 9¾ 234/304	34 13 4	0 6 7 102/105
Carriage and postage of copies of depositions	. .	. .	1 10 0	0 0 4			. .	. .	. .	. .	. .	. .
Loss of time, and maintenance of witnesses and prosecutors	127 15 8	2 11 1¼ 22/50	136 1 0 160 15 6	1 10 2¾ 18/90 1 15 8½ 83/90			173 2 1	4 0 6 28/43	557 3 2 783 0 4	1 8 3½ 214/304 1 19 8¾ 238/304	261 18 0	2 9 10½ 84/105
Travelling expenses, and mileage of ditto												
Other expenses not included under any of the preceding heads	. .	. .	18 14 2	0 4 1¾ 50/90			. .	. .	9 12 8	0 0 5¾ 186/304	. .	. .
Total	407 7 7	8 2 11¼ 34/50	670 13 11	7 9 0½ 8/90			337 15 1	7 17 1 24/43	4,175 2 4	10 11 11 241/304	763 16 8	7 5 5¾ 62/105

	CUMBERLAND.		DERBYSHIRE.		DEVON.		DORSET.		DURHAM.		ESSEX.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	21 1 11	0 8 1½ 24/52	169 18 5	2 5 3½ 24/75	170 14 0	1 4 4½ 72/140			63 18 10	0 14 10¼ 66/86	695 15 9	2 0 2½ 178/316
Attorneys' charges and allowances	186 12 3	3 11 9¼ 28/52	170 3 6	2 5 4½ 28/75	. .	. .			374 14 2	4 7 1½ 272/286	. .	. .
Payment to counsel and clerk	69 15 6	1 6 10 8/52	80 11 6	1 1 5¾ 27/75	7 14 6	0 1 1 136/140			106 16 0	1 4 10 15/86	28 3 6	0 1 7½ 62/316
Fees to clerk of indictments	7 4 0	0 2 9 48/52	14 5 0	0 3 9½ 39/75	28 18 6	0 4 1½ 48/140			. .	. .	101 12 0	0 5 10¼ 320/316
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	5 1 0	0 1 11¼ 12/52	22 4 6	0 5 11 36/75	28 8 2	0 4 0½ 112/140			129 17 8	1 10 2¾ 74/86	85 5 6	0 4 11 208/316
Fees to ditto subsequent to conviction	195 6 0	3 15 1¼ 28/52	84 13 8	1 2 6¾ 71/75	112 0 0	0 16 0			94 4 6	1 1 10¾ 72/86	300 14 0	0 17 4½ 196/316
Fees on acquittal or discharge	. .	. .	15 10 8	0 4 1½ 32/75	. .	. .			8 13 0	0 2 0 7/86	39 18 4	0 2 3½ 202/316
Carriage and postage of copies of depositions	. .	. .	. .	. .	. .	. .			. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	99 8 6 55 1 7	1 18 2¾ 28/52 1 1 2 44/52	209 10 0	2 15 10¼ 45/75	294 12 4 373 4 8	2 2 1 32/140 2 13 3¾ 44/140			225 16 0 110 12 0	2 12 6 48/86 1 5 8½ 32/86	511 1 0 454 3 6	1 9 6½ 326/316 1 6 3 268/316
Travelling expenses, and mileage of ditto												
Other expenses not included under any of the preceding heads	. .	. .	. .	. .	. .	. .			. .	. .	24 14 10	0 1 5 224/316
Total	639 10 9	12 5 11½ 44/52	766 17 3	10 4 5¾ 63/75	1,015 12 2	7 5 1 24/140			1,114 12 2	12 19 2½ 13/86	2,241 8 5	6 9 6½ 146/316

SESSIONS, 1833.—ANALYSIS.

	GLOUCESTER.		HANTS.		HEREFORD.		HERTS.		HUNTINGDON.		KENT.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	No Return.	No Return.	435 14 7	1 6 1¼ 43/189	58 5 2	1 8 5 4/41	No Return.	No Return.	137 8 3	4 5 10½ 3/8	487 16 1	1 1 4½ 436/456
Attorneys' charges and allowances			. .	. .	60 7 0	1 9 5½ 3/41			74 11 4	2 6 7¼	. .	. .
Payment to counsel and clerk			. .	. .	20 13 0	0 10 0¾ 21/41			45 7 4	1 8 4¼	6 16 0	0 0 3½ 144/456
Fees to clerk of indictments			39 19 0	0 4 2½ 174/189	9 10 10	0 4 7¾ 17/41			22 16 2	0 14 3 2/8	. .	. .
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal			37 14 6	0 3 11¾ 117/189	8 13 0	0 4 2½ 22/41			4 10 0	0 2 9¾	215 4 11	0 9 5¼ 68/456
Fees to ditto subsequent to conviction			30 18 10	0 3 3¼ 31/189	37 10 0	0 18 3½ 3/41			. .	. .	259 19 8	0 11 4¾ 152/456
Fees on acquittal or discharge			80 10 11	0 8 6¼ 23/189	5 6 4	0 2 7 30/41			. .	. .	88 19 10	0 3 10¾ 159/456
Carriage and postage of copies of depositions			5 7 6	0 0 6¾ 57/189	. .	. .			0 13 0	0 0 4¾ 4/8	. .	. .
Loss of time and maintenance of witnesses and prosecutors			455 13 6	2 8 2½ 102/189	34 1 0	0 16 7¼ 11/41			95 14 2	2 19 9¾ 2/8	629 8 6	1 7 7¼ 48/456
Travelling expenses and mileage of ditto			347 3 2	1 16 8¾ 65/189	54 11 2	1 6 7¼ 19/41					426 6 6	0 18 8¼ 240/456
Other expenses not included under any of the preceding heads			0 15 0	0 0 0¾ 153/189	. .	. .			0 14 0	0 0 5¼	. .	. .
Total			1,433 17 0	6 11 8¾ 9/189	288 17 6	7 0 10¾ 37/41			381 14 3	11 18 6¾ 3/4	2,114 11 6	4 12 8¾ 336/456

	LANCASHIRE.		LEICESTERSHIRE.		LINCOLN, Parts of HOLLAND.		LINCOLN, Parts of KESTEVEN.		LINCOLN, Parts of LINDSEY.		MIDDLESEX.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		
Expenses certified by committing magistrates	20 9 9	0 0 3¾ 483/1279	No Return.	No Return.	85 4 0	1 7 0½ 19/63	105 13 2	1 14 7½ 50/61	102 7 4	0 18 7¼ 42/110	No Return.	No Return.
Attorneys' charges and allowances	4,489 16 7	3 10 2½ 6/1279			37 4 0	0 11 9½ 54/63	66 3 0	1 1 8¼ 38/61	352 8 6	3 4 0¾ 78/110		
Payment to counsel and clerk	1,705 1 6	1 6 7¾ 1031/1279			38 17 0	0 12 4	. .	. .	115 15 0	1 1 0½ 20/110		
Fees to clerk of indictments	. .	. .			. .	. .	13 0 6	0 4 3 60/61	. .	. .		
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	1,076 18 4	0 16 10 408/1279			30 14 10	0 9 9 28/63	4 10 4	0 1 5¾ 5/61	179 12 1	1 12 7¾ 50/110		
Fees to ditto subsequent to conviction	742 19 3	0 11 7¼ 641/1279			101 14 4	1 12 3¼ 61/63	18 13 4	0 6 1¼ 47/61	. .	. .		
Fees on acquittal or discharge	9 6 6	0 0 1½ 1278/1279			9 4 0	0 2 11 12/63	. .	. .	. .	. .		
Carriage and postage of copies of depositions	. .	. .			. .	. .	. .	. .	. .	. .		
Loss of time and maintenance of witnesses and prosecutors	2,215 13 10	1 14 7¾ 87/1279			117 11 10	1 17 3¾ 55/63	65 17 2	1 1 7 28/61	183 15 6	1 13 4¾ 94/110		
Travelling expenses and mileage of ditto					57 1 2	0 18 1¼ 29/63	35 7 11	0 11 7¼ 9/61	160 8 0	1 9 1¾ 94/110		
Other expenses not included under any of the preceding heads	. .	. .			. .	. .	. .	. .	. .	. .		
Total	10,260 5 9	8 0 5¼ 297/1279			477 11 2	7 11 7¼ 5/63	309 5 5	5 1 4¾ 13/61	1,094 6 5	9 18 11½ 48/110		

	MONMOUTH.		NORFOLK.		NORTHAMPTON.		NORTHUMBERLAND.		NOTTS.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	108 15 8	2 3 6 32/50	729 16 5	2 14 5½ 76/266			47 5 2	1 13 9 3/7	274 8 11	2 13 3¼ 27/103
Attorneys' charges and allowances	121 5 4	2 8 6 19/50	. .	.			64 4 6	2 5 10½	233 6 0	2 5 3½ 55/103
Payment to counsel and clerk	63 11 6	1 5 5 36/50	0 10 6	0 0 0¼ 236/266			30 8 6	1 1 8¾ 1/7	140 13 6	1 7 3¼ 15/103
Fees to clerk of indictments	18 17 0	0 7 6¼ 18/50	69 14 4	0 5 2¼ 199/266			3 16 6	0 2 8½ 1/7	15 6 0	0 2 11½ 97/103
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	. .	. .	99 3 8	0 7 4¾ 76/266			. .	. .	11 16 0	0 2 3¼ 101/103
Fees to ditto subsequent to conviction	72 0 8	1 8 9¾ 42/50	191 2 0	0 14 3 144/266			29 18 0	1 1 4¼ 1/7	138 10 2	1 6 10½ 95/103
Fees on acquittal or discharge	. .	. .	49 7 4	0 3 8 224/266			14 14 0	0 10 6	33 2 8	0 6 5 84/103
Carriage and postage of copies of depositions	. .	. .	. .	. .			. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	73 1 0	1 9 2½ 26/50	365 0 0	1 7 2¾ 124/266			122 18 6	4 7 9½ 4/7	144 10 3	1 8 0½ 94/103
Travelling expenses and mileage of ditto	66 9 4	1 6 7 8/50	497 18 0	1 17 1¾ 140/266					11 13 6	0 2 3 9/103
Other expenses not included under any of the preceding heads	. .	. .	35 10 7	0 2 7¾ 72/266			. .	. .	34 8 10	0 6 8¼ 1/103
Total	524 0 6	10 9 7¼ 14/50	2,038 2 10	7 12 1 216/266			313 5 2	11 3 9 3/7	1,037 15 10	10 1 6 61/103

	OXFORD.		RUTLAND.		SALOP.		SOMERSET.		STAFFORD.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
			£. s. d.	£. s. d.			£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates			49 5 1	2 17 11½ 7/17			289 10 5	0 18 11¾ 85/305	642 15 3	1 11 11½ 384/402
Attorneys' charges and allowances			27 7 0	1 12 2 8/17			. .	. .	100 4 0	0 4 11¾ 234/402
Payment to counsel and clerk			11 11 0	0 13 7 4/17			. .	. .	18 14 8	0 0 11 296/402
Fees to clerk of indictments			.	. .			94 13 10	0 6 2½ 14/305	106 3 0	0 5 3¼ 162/402
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal			21 11 2	1 5 4¼ 7/17			82 8 4	0 5 4¾ 125/305	78 11 6	0 3 10¾ 238/402
Fees to ditto subsequent to conviction			11 8 8	0 13 5¼ 11/17			158 8 0	0 10 4½ 174/305	175 5 6	0 8 8¼ 262/402
Fees on acquittal or discharge			0 12 0	0 0 8¼ 15/17			146 0 0	0 9 6¾ 103/305	87 1 8	0 4 3¼ 135/402
Carriage and postage of copies of depositions			0 0 6	0 0 0¼ 7/17			. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors			12 11 2	0 14 9¼ 3/17			426 12 0	1 7 11½ 226/305	634 3 0	1 11 6½ 156/402
Travelling expenses and mileage of ditto							604 7 4	1 19 7½ 82/305	848 19 0	2 2 2¾ 198/402
Other expenses not included under any of the preceding heads			. .	. .			5 7 0	0 0 4 250/305	. .	. .
Total			134 6 7	7 18 0¼ 11/17			1,807 6 11	5 18 6 313/305	2,691 17 7	6 13 11 148/402

No Return.

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17a

	SUFFOLK.		SURREY.		SUSSEX.		WARWICK.		WESTMORLAND.		WILTS.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.
Expenses certified by committing magistrates	626 16 6	1 17 10¼ 325/331	99 12 11	0 3 10½ 243/513	201 13 7	0 18 7 48/217	329 12 4	0 17 8½ 232/372			112 11 10	0 15 1¼ 63/149
Attorneys' charges and allowances	5 5 0	0 0 3¾ 75/331	. .	. .	32 0 0	0 2 11¼ 129/217	641 5 4	1 14 5½ 328/372			7 3 0	0 0 11½ 10/149
Payment to counsel and clerk	74 18 8	0 4 6¼ 109/331	. .	. .	38 6 6	0 3 6¼ 119/217	442 15 6	1 3 9½ 249/372			8 6 6	0 1 1¼ 95/149
Fees to clerk of indictments	60 2 6	0 3 7½ 126/331	99 6 8	0 3 10¼ 453/513	. .	. .	115 9 7	0 6 2½ 4/372			21 1 6	0 2 9¾ 117/149
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	136 17 0	0 8 3 300/331	65 19 0	0 2 6¾ 213/513	285 3 6	1 6 3¼ 151/217	155 3 0	0 8 4 144/372	No Return.	No Return.	18 0 6	0 2 5 20/149
Fees to ditto subsequent to conviction	230 11 0	0 13 11 220/331	253 13 6	0 9 10½ 366/513	32 11 0	0 3 0	198 17 6	0 10 8½ 54/372			22 17 0	0 3 0¾ 33/149
Fees on acquittal or discharge	50 1 4	0 3 0¼ 69/331	7 7 4	0 0 3¼ 403/513	40 18 8	0 3 9¼ 19/217	42 5 6	0 2 3¼ 36/372			4 0 0	0 0 6¼ 115/149
Carriage and postage of copies of depositions	. .	. .	. .	. .	. .	. .	. .	. .			1 16 0	0 0 2¾ 89/149
Loss of time and maintenance of witnesses and prosecutors	535 4 3	1 12 4 92/331	1,033 11 7	2 0 3½ 94/513	{ 218 16 0	1 0 1¾ 209/217	515 9 0	1 7 8½ 72/372			280 14 0	1 17 8 80/149
Travelling expenses and mileage of ditto	315 12 9	0 19 0¾ 147/331			{ 178 17 6	0 16 5¾ 72/217	571 13 6	1 10 8¾ 108/372			179 8 0	1 4 0¾ 129/149
Other expenses not included under any of the preceding heads	61 10 8	0 3 8½ 154/331	. .	. .	15 13 10	0 1 5¼ 51/217	106 19 5	0 5 9 20/372			8 0 4	0 1 0¾ 97/149
Total	2,096 19 8	6 6 8¼ 293/331	1,559 11 0	3 0 9½ 234/513	1,044 0 7	4 16 2½ 162/217	3,119 10 8	8 7 8½ 152/372			663 18 8	4 9 1¼ 103/149

	WORCESTER.		YORKSHIRE, East Riding.		YORKSHIRE, North Riding.		YORKSHIRE, West Riding.		TOTAL of 30 English Counties.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.			£. s. d.	£. s. d.
Expenses certified by committing magistrates	365 4 3	1 17 7¾ 46/194	80 11 8	0 18 3¾ 8/88	65 10 0	1 1 5½ 59/61			7,539 9 2	1 2 5½ 4500/6710
Attorneys' charges and allowances	250 1 11	1 5 9¼ 114/194	197 14 0	2 4 11 84/88	281 16 11	4 12 4¾ 57/61			9,466 7 1	1 8 2½ 2360/6710
Payment to counsel and clerk	121 16 0	0 12 6½ 140/194	123 1 0	0 7 11½ 32/88	66 14 6	1 1 10½ 6/61			3,867 6 2	0 11 6¼ 1986/6710
Fees to clerk of indictments	61 17 6	0 6 4½ 96/194	14 2 2	0 3 2¼ 80/88	13 14 6	0 4 6			1,112 13 11	0 3 3¾ 1298/6710
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	46 2 9	0 4 9 60/194	13 5 6	0 3 0 72/88	41 1 2	0 13 5½ 10/61	No Return.	No Return.	3,125 17 9	0 9 3¾ 1482/6710
Fees to ditto subsequent to conviction	101 2 8	0 10 5 88/194	. .	. .	49 7 0	0 16 2 49/61			4,065 6 11	0 12 1¼ 4222/6710
Fees on acquittal or discharge	23 6 8	0 2 4¾ 90/194	34 8 0	0 7 9¾ 24/88	39 14 8	0 13 0¼ 19/61			956 16 5	0 2 10 5988/6710
Carriage and postage of copies of depositions	. .	. .	. .	. .	2 7 1	0 0 9¼ 3/61			11 14 1	0 0 0¼ 4398/6710
Loss of time and maintenance of witnesses and prosecutors	435 1 0	2 4 10 160/194	183 7 0	2 1 8 16/88	{ 203 17 6	3 6 10 32/61				
Travelling expenses and mileage of ditto	584 1 6	3 0 2¼ 52/194			{ 142 17 6	2 6 10 32/61			18,598 12 11	2 15 5 6100/6710
Other expenses not included under any of the preceding heads	6 0 0	0 0 7¼ 134/194	5 8 0	0 1 2½ 80/88	0 6 0	0 0 1 44/61			333 15 4	0 0 11¾ 5046/6710
Total	1,994 4 3	10 5 7½ 144/194	651 17 4	6 8 1¾ 24/88	907 6 10	14 17 5¾ 29/61			49,077 19 9	7 6 3¼ 3958/6710

	ANGLESEY.		BRECON.		CARDIGAN.		CARMARTHEN.		CARNARVON.		DENBIGH.		FLINT.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.					£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	No Return.	No Return.	47 13 0	2 19 6 3/4	8 1 6	1 6 11	No Return.	No Return.	No Return.	No Return.	28 1 6	2 11 0 1/2 2/11	33 9 2	1 17 2 4/5
Attorneys' charges and allowances			54 19 0	3 8 8 1/4	36 15 3	6 2 6 1/2					82 2 8	7 9 4	83 16 4	4 13 1 1/2 2/5
Payments to counsel and clerk			. .	. .	. .	. .					. .	. .	17 17 0	0 19 10
Fees to clerk of indictments			2 8 8	0 3 0 1/2	. .	. .					1 14 0	0 3 1 4/11	6 2 0	0 6 9 1/4 2/5
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments), prior to conviction or acquittal			6 9 3	0 8 0 3/4 2/3	17 9 5	2 18 2 3/4 2/3					19 13 4	1 15 9 4/11	17 10 0	0 19 5 1/4 3/5
Fees to ditto subsequent to conviction			3 10 0	0 4 4 1/2	8 10 8	1 8 5 1/4 2/3					5 10 0	0 10 0	9 0 0	0 10 0
Fees on acquittal or discharge			. .	. .	. .	. .					. .	. .	. .	. .
Carriage and postage of copies of depositions			. .	. .	. .	. .					. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors			30 0 0	1 17 6	13 6 4	2 4 4 1/2 4/5					23 9 6 40 9 0	2 2 8 8/11 3 13 6 1/2 8/11	42 18 6	2 7 8 1/4 3/5
Travelling expenses and mileage of ditto														
Other expenses, not included under any of the preceding heads			5 6 8	0 6 8	5 11 3	0 18 6 1/2					13 4 6	1 4 0 1/2 2/11	11 5 2	0 12 6 4/5
Total			150 6 7	9 7 10 3/4 3/4	89 14 5	14 19 0 3/4 2/5					214 4 6	19 9 6	221 18 2	12 6 6 3/4 1/5

	GLAMORGAN.		MERIONETH.		MONTGOMERY.		PEMBROKE.		RADNOR.		TOTAL of Nine Welsh Counties.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	58 11 2	1 4 4 3/4 2/13	27 18 8	4 13 1 1/4 2/3	56 8 0	1 11 4	3 6 6	0 8 3 3/4	10 1 9	1 5 2 1/2 1/2	273 11 3	1 14 10 116/137
Attorneys' charges and allowances	206 2 4	4 5 10 1/2 13/13	63 6 5	10 11 0 3/4 2/3	108 10 2	3 0 3 1/4 5/8	46 2 8	5 15 4	33 17 4	4 4 8	715 12 2	4 11 1 3/4 127/137
Payment to counsel and clerk	. .	. .	. .	. .	37 8 0	1 0 9 1/4 5/8	. .	. .	. .	. .	55 5 0	0 7 0 1/4 121/137
Fees to clerk of indictments	. .	. .	. .	. .	6 18 0	0 3 10	. .	. .	. .	. .	17 2 8	0 2 2 129/137
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments), prior to conviction or acquittal	48 9 4	1 0 2 1/4 4/13	21 10 2	3 11 8 1/4 3/8	30 4 9	0 16 9 1/2 3/5	21 9 4	2 13 8	10 8 8	1 6 1	193 4 3	1 4 7 1/4 67/137
Fees to ditto subsequent to conviction	31 4 0	0 13 0	3 3 6	0 10 7	9 2 0	0 5 0 1/2 5/53	. .	. .	3 12 6	0 9 0 3/4	73 12 8	0 9 4 1/2 127/137
Fees on acquittal or discharge	. .	. .	0 8 0	0 1 4	0 6 8	0 0 2 5/53	. .	. .	0 9 4	0 1 2	1 4 0	0 0 1 3/4 43/137
Carriage and postage of copies of depositions	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	298 9 6	6 4 4 1/4 6/13	19 18 6	3 6 5	106 12 0	2 19 2 1/2 6/5	11 14 8	1 9 4	12 14 8	1 11 10	599 12 8	3 16 4 1/2 86/137
Travelling expenses and mileage of ditto												
Other expenses, not included under any of the preceding heads	5 15 6	0 2 4 3/4 6/13	2 12 6	0 8 9	7 8 5	0 4 1 1/2 8/5	. .	. .	. .	. .	51 4 0	0 6 6 1/4 11/137
Total	648 11 10	13 10 2 3/4 10/13	138 17 9	23 2 11 1/2	362 18 0	10 1 7 1/2 3	82 13 2	10 6 7 3/4	71 4 3	8 18 0 1/4 1/2	1,980 8 8	12 12 3/4 1/137

EXEMPT JURISDICTIONS.

ANALYTICAL VIEW of the Expense of Prosecutions tried at the Assizes in the Year 1833, and defrayed by Exempt Jurisdictions.

ASSIZES, 1833.

—	Exempt Jurisdictions.	Total Expenditure on Prosecutions.	Number of Prosecutions.	Average Expense of each Prosecution.
		£. s. d.		£. s. d.
Midland Circuit	Borough of Leicester	197 0 0	25	7 17 7 20/25
	City of Lincoln	36 17 2	3	12 5 8½ 2/3
	Town of Nottingham	303 3 8	21	14 8 8¾ 17/21
	City of Coventry	229 12 8	20	11 9 7½ 4/10
Norfolk Circuit	Town of Cambridge	280 2 9	18	15 11 3 12/18
	City of Norwich	205 11 0	24	8 11 3½
	Liberty and Borough of Bury St. Edmund's	305 18 10	21	14 11 4¼ 10/21
Northern Circuit	Newcastle-upon-Tyne	241 14 1	13	18 11 10 12/13
	Liberty of Kirkby in Kendal	79 16 0	3	26 12 0
	Kingston-upon-Hull	148 10 0	3	49 10 0
	Liberty of Beverley	34 8 6	1	34 8 6
	Liberties of Ripon and Richmond	77 3 1	2	38 11 6½
	City of York	91 7 2	4	22 16 9½
Oxford Circuit	City of Gloucester	187 10 6	15	12 0 10¼ 8/15
	Liberties of the City of Hereford	78 17 4	8	9 17 2
	Liberties of the towns of Shrewsbury, Oswestry, Wenlock, and Bridgnorth	220 19 2	12	18 8 3 8/12
	City of Worcester	129 19 6	13	9 19 11½ 2/13
Western Circuit	Liberty of Penzance	22 8 4	1	22 8 4
	Liberty of Tiverton	34 0 8	2	17 0 4
	Liberty of Marlborough	21 18 6	3	7 6 2
	Total	2,926 18 11	212	13 16 1½ 30/212

MIDLAND CIRCUIT.

	Borough of Leicester.		City of Lincoln and County of the same City.		Town of Nottingham and County of the same Town.		City of Coventry and County of the same City.		Town of Cambridge.		City of Norwich.		Liberty and Borough of Bury St. Edmund's.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	35 6 4	1 8 3 4/25	6 6 8	2 2 2⅓	47 9 6	2 5 2 6/21	27 9 0	1 7 5 6/10	61 9 2	3 8 3 14/15	..	..	65 12 4	3 2 5 14/21
Attorneys' charges or allowances	43 2 0	1 14 5 1/25	6 14 6	2 4 10	63 15 2	3 0 8 14/21	55 0 8	2 15 0 6/10	32 12 2	1 16 2 2/18	3 15 0	0 3 1½	24 4 10	1 3 1 4/21
Payment to counsel and clerk	33 7 6	1 6 8 1/25	6 13 6	2 4 6	47 15 6	2 5 6	44 10 0	2 4 6	29 17 0	1 13 2	2 4 6	0 1 10½	19 0 0	0 18 1 17/21
Fees to clerk of indictments	4 11 6	0 3 7 3/4 17/25	0 12 0	0 4 0	5 15 6	0 5 6	5 8 0	0 5 4⅗ 2/10	8 3 0	0 9 0½ 12/18	23 5 8	0 19 4⅗ 6/21	11 11 6	0 11 0¼ 3/21
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	15 14 0	0 12 6½ 22/25	2 15 0	0 18 4	24 15 10	1 3 7¼ 7/21	19 6 10	0 19 4 4/10	20 8 8	1 2 8¼ 14/18	30 10 4	1 5 5 16/24	22 7 0	1 1 3½ 13/21
Fees to clerk of assize subsequent to conviction	14 14 0	0 11 9 13/25	3 3 0	1 1 0	26 5 0	1 5 0	17 17 0	0 17 10 8/10	..	..	15 15 0	0 13 1½	14 14 0	0 14 0
Fees on acquittal or discharge	7 6 8	0 5 10¼ 13/25	..	..	1 6 8	0 1 3 20/21	9 6 8	0 9 4	..	..	4 8 0	0 3 8	7 1 4	0 6 8¾ 1/21
Fees to judges' officers, including crier	5 8 0	0 4 3¾ 9/25	0 19 0	0 6 4	9 2 0	0 8 8	8 16 0	0 8 9¼ 4/10	8 4 0	0 9 1¼ 6/18	10 11 0	0 8 9½	8 13 0	0 8 2¾ 2/21
Bailiffs' fees	1 10 0	0 1 2¼ 15/25	0 6 0	0 2 0	2 1 0	0 1 11¼ 15/21	2 0 0	0 2 0	1 16 0	0 2 0	2 8 0	0 2 0	2 9 0	0 2 4
Carriage and postage of depositions, and copies of depositions	..	..	..	..	1 0 0	0 0 11¼ 15/21	1 0 0	0 1 0	0 9 4	0 0 6 16/18	0 15 0	0 0 7½	1 2 4	0 1 0¾ 1/21
Loss of time and maintenance of witnesses and prosecutors	36 0 0	1 8 9¼ 19/25	9 7 6	3 2 6	72 16 6	3 9 4¼ 3/21	38 18 6	1 18 11 4/10	117 3 5	6 10 2¼ 2/18	111 18 6	4 13 3½	129 3 6	6 3 0¼ 3/21
Travelling expenses and mileage of ditto														
Other charges not included under any of the foregoing heads	..	..	..	..	1 1 0	0 1 0	..	..	..	..	..	..	..	..
Total	197 0 0	7 17 7 20/25	36 17 2	12 5 8½ 2/3	303 3 8	14 8 8¾ 17/21	229 12 8	11 9 7½ 4/10	280 2 9	15 11 3 13/18	205 11 0	8 11 3½	305 18 10	14 11 4½ 18/21

NORTHERN CIRCUIT.

	Town and County of the Town of Newcastle-upon-Tyne.		Liberty of the Burgh of Kirkby in Kendal, in the County of Westmorland.		Town and County of Kingston-upon-Hull.		Liberty of the Town and Liberties of Beverley, in the East Riding of Yorkshire.		Liberties of the Borough of Ripon, in the West Riding, and of the Borough of Richmond, in the North Riding of Yorkshire.		City and County of the City of York.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amt. on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	19 14 0	1 10 3½ 10/13	..	..	6 12 6	2 4 2	2 17 6	2 17 6	2 8 0	1 4 0	6 16 0	1 14 0
Attorneys' charges or allowances	92 8 6	7 2 2 12/13	18 15 8	6 5 2⅓ 2/3	26 10 4	8 16 9¼ 1/3	7 3 0	7 3 0	12 7 6	6 3 9	22 19 6	5 14 10½
Payment to counsel and clerk	54 15 0	4 4 2¾ 1/13	17 13 6	5 17 10	19 18 0	6 12 8	6 13 6	6 13 6	11 2 6	5 11 3	16 12 6	4 3 1½
Fees to clerk of indictments	11 0 0	0 16 11 7/13	2 15 0	0 18 4	0 19 6	0 6 6	0 13 0	0 13 0	1 18 0	0 19 0	3 16 0	0 19 0
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	11 18 2	0 18 3¾ 5/13	2 4 0	0 14 8	6 2 6	2 0 10	0 14 8	0 14 8	1 16 10	0 18 5	3 6 2	0 16 6½
Fees to clerk of assize subsequent to conviction	14 7 0	1 2 0¾ 9/13	6 19 0	2 6 4	4 16 0	1 12 0	0 13 8	0 13 8	1 8 4	0 14 2	2 15 4	0 13 10
Fees on acquittal or discharge	1 5 4	0 1 11½ 7/13	1 5 4	0 8 5⅓ 1/3	3 5 4	1 1 9¼ 1/3	..	..	..	..	0 11 8	0 3 8
Fees to judges' officers, including crier	6 11 0	0 10 0¾ 9/13	1 8 0	0 9 4	1 19 0	0 13 0	0 8 0	0 8 0	0 15 0	0 7 6	1 18 0	0 9 6
Bailiffs' fees	0 13 0	0 1 0	0 2 0	0 0 8	0 3 0	0 1 0	0 1 0	0 1 0	0 2 0	0 1 0	0 4 0	0 1 0
Carriage and postage of depositions, and copies of depositions	..	..	..	..	0 1 8	0 0 6½ 2/3	..	..	0 1 6	0 0 9	..	..
Loss of time and maintenance of witnesses and prosecutors	24 19 6	1 18 5 4/13	15 6 6	5 2 2	50 15 6	16 18 6	10 17 6	10 17 6	33 15 0	16 17 6	25 11 0	6 7 9
Travelling expenses and mileage of ditto	3 1 4	0 4 8¼ 6/13	13 7 0	4 9 0	27 6 8	9 2 2⅓ 2/3	4 6 8	4 6 8	11 4 8	5 12 4	6 13 0	1 13 3
Other charges not included under any of the foregoing heads	1 1 3	0 1 7½ 6/13	..	..	..	..	..	..	0 3 9	0 1 10½	0 1 0	0 0 3
Total	241 14 1	18 11 10 12/13	79 16 0	26 12 0	148 10 0	49 10 0	34 8 6	34 8 6	77 3 1	38 11 6½	91 7 2	22 16 9½

EXEMPT JURISDICTIONS.—ASSIZES, 1833.—ANALYSIS.

OXFORD CIRCUIT.

	City of Gloucester, and County of the same City.		*Liberties of the City of Hereford.*		*Liberties of the Towns of Shrewsbury, Oswestry, Wenlock, and Bridgnorth, in the County of Salop.*		*City of Worcester, and County of the same City.*	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	27 19 0	1 17 3 $\frac{12}{15}$	7 12 6	0 19 0$\frac{3}{4}$	38 7 0	3 3 11	2 5 0	0 3 5$\frac{1}{2}$ $\frac{2}{13}$
Attorneys' charges or allowances	37 14 8	2 10 3$\frac{1}{2}$ $\frac{14}{15}$	29 6 8	3 13 4	54 12 4	4 11 0$\frac{1}{4}$ $\frac{4}{12}$	38 11 0	2 19 3$\frac{1}{2}$ $\frac{12}{13}$
Payment to counsel and clerk	20 11 0	1 7 4$\frac{3}{4}$ $\frac{3}{15}$	13 12 0	1 14 0	21 6 6	1 15 6$\frac{1}{2}$	19 9 6	1 9 11$\frac{1}{2}$ $\frac{2}{13}$
Fees to clerk of indictments	4 17 6	0 6 6	2 18 0	0 7 3	4 15 6	0 7 11$\frac{1}{2}$	4 12 0	0 7 0$\frac{3}{4}$ $\frac{9}{13}$
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	9 11 6	0 12 9 $\frac{12}{15}$	4 18 6	0 12 3$\frac{3}{4}$	8 6 6	0 13 10$\frac{1}{2}$	9 1 6	0 13 11$\frac{1}{2}$ $\frac{2}{13}$
Fees to clerk of assize subsequent to conviction	4 4 0	0 5 7 $\frac{12}{15}$	1 1 0	0 2 7$\frac{1}{2}$	2 8 0	0 4 0	1 15 0	0 2 8$\frac{1}{4}$ $\frac{3}{13}$
Fees on acquittal or discharge	4 8 4	0 5 10$\frac{1}{2}$ $\frac{10}{15}$	0 17 8	0 2 2$\frac{1}{2}$	2 13 4	0 4 5$\frac{1}{4}$ $\frac{4}{12}$	..	..
Fees to judges' officers, including crier	5 3 0	0 6 10$\frac{1}{4}$ $\frac{9}{15}$	2 13 0	0 6 7$\frac{1}{2}$	4 6 6	0 7 2$\frac{1}{2}$	7 0 6	0 10 9$\frac{1}{2}$ $\frac{10}{13}$
Bailiffs' fees	1 10 0	0 2 0	0 16 0	0 2 0	1 4 0	0 2 0	1 4 0	0 1 10 $\frac{8}{13}$
Carriage and postage of depositions, and copies of depositions	..	..	..	..	..	..	..	..
Loss of time and maintenance of witnesses and prosecutors	45 0 0	3 0 0	14 7 0	1 15 10$\frac{1}{2}$	46 1 6	3 16 9$\frac{1}{2}$	38 4 0	2 18 9 $\frac{12}{13}$
Travelling expenses and mileage of ditto	26 1 0	1 14 8$\frac{3}{4}$ $\frac{3}{15}$	0 15 0	0 1 10$\frac{1}{2}$	36 18 0	3 1 6	6 10 0	0 10 0
Other charges not included under any of the foregoing heads	0 10 6	0 0 8$\frac{1}{4}$ $\frac{9}{15}$	..	..	..	..	1 7 0	0 2 0$\frac{3}{4}$ $\frac{9}{13}$
Total	187 10 6	12 10 0$\frac{1}{4}$ $\frac{9}{15}$	78 17 4	9 17 2	220 19 2	18 8 3 $\frac{8}{12}$	129 19 6	9 19 11$\frac{1}{2}$ $\frac{2}{13}$

WESTERN CIRCUIT.

	Liberty of Penzance, in the County of Cornwall.		*Liberty of Tiverton, in the County of Devon.*		*Liberty of Marlborough, in the County of Wilts.*		*Total of Twenty Exempt Jurisdictions.*	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	2 19 10	2 19 10	..	..	..	..	361 4 4	1 14 0$\frac{3}{4}$ $\frac{148}{213}$
Attorneys' charges or allowances	1 1 0	1 1 0	4 16 0	2 8 0	2 2 0	0 14 0	577 12 6	2 14 5$\frac{3}{4}$ $\frac{140}{213}$
Payment to counsel and clerk	2 4 6	2 4 6	2 4 6	1 2 3	2 7 0	0 15 8	391 18 0	1 16 11$\frac{1}{2}$ $\frac{139}{213}$
Fees to clerk of indictments	3 6 6	3 6 6	1 0 0	0 10 0	0 7 6	0 2 6	102 5 8	0 9 7$\frac{3}{4}$ $\frac{36}{213}$
Fees to clerk of assize and subordinate officers prior to conviction or acquittal (exclusive of clerk of indictments)	0 1 0	0 1 0	0 5 0	0 2 6	..	..	194 4 0	0 18 3$\frac{3}{4}$ $\frac{84}{213}$
Fees to clerk of assize subsequent to conviction	1 14 0	1 14 0	1 4 0	0 12 0	5 2 6	1 14 2	140 15 10	0 13 3$\frac{1}{4}$ $\frac{116}{213}$
Fees on acquittal or discharge	..	..	..	..	..	..	43 19 4	0 4 1$\frac{3}{4}$ $\frac{20}{213}$
Fees to judges' officers, including crier	0 5 6	0 5 6	0 7 6	0 3 9	0 17 0	0 5 8	85 5 0	0 8 0$\frac{1}{2}$ $\frac{8}{213}$
Bailiffs' fees	0 2 0	0 2 0	0 2 0	0 1 0	0 6 0	0 2 0	18 19 0	0 1 9$\frac{1}{4}$ $\frac{172}{213}$
Carriage and postage of depositions, and copies of depositions	..	..	..	..	..	..	4 9 10	0 0 5 $\frac{72}{213}$
Loss of time and maintenance of witnesses and prosecutors	3 10 0	3 10 0	15 15 0	7 17 6	5 15 0	1 18 4	} 1,002 0 11	4 14 6$\frac{1}{4}$ $\frac{139}{212}$
Travelling expenses and mileage of ditto	7 4 0	7 4 0	8 6 8	4 3 4	5 1 6	1 13 10		
Other charges not included under any of the foregoing heads	..	..	..	..	..	..	4 4 6	0 0 4$\frac{3}{4}$ $\frac{28}{212}$
Total	22 8 4	22 8 4	34 0 8	17 0 4	21 18 6	7 6 2	2,926 18 11	13 16 1$\frac{1}{2}$ $\frac{20}{213}$

EXEMPT JURISDICTIONS AND CORPORATE TOWNS.

ANALYTICAL VIEW of the Expense of Prosecutions in the Year 1833, tried at the Sessions in Exempt Jurisdictions and Corporate Towns trying their own Prisoners.*

SESSIONS, 1833.

Counties.	Exempt Jurisdictions and Corporate Towns.	Total Expenditure in Prosecutions.	Number of Prosecutions.	Average Expense of each Prosecution.
		£. s. d.		£. s. d.
ENGLAND.				
Berks	Abingdon	20 1 2	9	2 4 6¾
Berwick-upon-Tweed		55 18 2	3	18 12 8½
Cambridgeshire	Cambridge	171 4 8	21	8 3 0¾
Cheshire	Chester	361 1 11	43	8 7 11¼
	Congleton	116 13 6	16	7 5 10
Cumberland	Carlisle	42 19 0	6	7 3 2
Devon	Bradninch	9 7 8	3	3 2 6½
	Plymouth	147 4 3	56	2 12 6¼
	Tiverton	7 14 6	6	1 5 9
Dorset	Poole	56 14 8	9	6 6 0¾
Essex	Colchester	180 10 0	28	6 8 11
	Romford	29 8 6	8	3 13 6¾
Gloucestershire	Gloucester	76 1 4	18	4 4 6
	Tewkesbury	57 0 8	8	7 2 7
Hants	Newport	66 7 2	15	4 8 5½
	Portsmouth	27 8 6	9	3 0 11¼
	Southampton	110 13 0	36	3 1 5½
	Winchester	12 16 2	3	4 5 4½
Herefordshire	Hereford	41 1 0	11	3 14 7½
Kent	Canterbury	68 18 8	10	6 17 10¼
	Dovor	133 14 6	28	4 15 6
	Rochester	78 4 2	13	6 0 9¾
	Tenterden	10 5 2	2	5 2 7
Lincolnshire	Boston	86 16 11	18	4 16 5¾
	Lincoln	216 19 8	24	9 0 9¼
	Louth	86 15 8	10	8 13 6¾
Norfolk	Lynn	201 17 5	16	12 12 4¼
Northumberland	Newcastle-upon-Tyne	104 1 8	15	6 18 9¼
Notts	Nottingham	648 19 2	72	9 0 3
Oxfordshire	Banbury	35 6 6	8	4 8 3¾
Salop	Wenlock	92 0 11	13	7 1 7¼
Somerset	Bridgwater	46 8 8	14	3 6 4
Suffolk	Bury St. Edmund's	207 17 6	27	7 13 11¾
Surrey	Guildford	4 18 0	4	1 4 6
Sussex	Hastings	19 10 1	6	3 5 0
Warwickshire	Coventry	53 2 3	7	7 11 9
	Warwick	98 16 4	14	7 1 2
Worcestershire	Worcester	108 7 4	15	7 4 5¾
Yorkshire	Beverley	16 2 6	4	4 0 7½
	Leeds	826 1 2	183	4 10 3½
	Pontefract	86 2 10	14	6 3 0½
	Total	4,821 12 11	825	5 16 10½
WALES.				
Anglesea	Beaumaris	22 7 6	2	11 3 9
Pembrokeshire	Haverfordwest	33 17 8	4	8 9 5
	Total	56 5 2	6	9 7 6¼

* The prosecutions tried by exempt jurisdictions are defrayed by a town-rate, those tried in corporate towns not exempt out of the county rate.

EXEMPT JURISDICTIONS AND CORPORATE TOWNS.—SESSIONS, 1833.—ANALYSIS.

	BERKS.		BERWICK-UPON-TWEED.		CAMBRIDGESHIRE.		CHESHIRE.				CUMBERLAND.	
	ABINGDON.		——		CAMBRIDGE.		CHESTER.		CONGLETON.		CARLISLE.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	. .	. .	5 1 4	1 13 $9\frac{1}{4}$ 3	37 7 0	1 15 $6\frac{3}{4}$ $\frac{0}{21}$	1 9 0	0 0 8 $\frac{16}{43}$	13 3 0	0 16 $5\frac{1}{4}$	0 8 0	0 1 4
Attorneys' charges and allowances	6 5 0	0 13 $10\frac{1}{2}$ $\frac{6}{9}$	28 10 6	9 10 2	37 14 4	1 15 11 $\frac{4}{21}$	164 0 1	3 16 $3\frac{1}{4}$ $\frac{21}{43}$	56 18 2	3 11 $1\frac{1}{2}$ $\frac{1}{3}$	14 16 6	2 9 5
Payment to counsel and clerk	. .	. .	11 5 0	3 15 0	16 16 6	0 16 $0\frac{1}{4}$ $\frac{3}{21}$	63 3 0	1 9 $4\frac{1}{4}$ $\frac{37}{43}$	18 16	1 3 6	. .	. .
Fees to clerk of indictments	2 6 8	0 5 2 $\frac{8}{9}$	6 14 10	2 4 $11\frac{1}{4}$ $\frac{1}{3}$	. .	. .	10 4 0	0 4 $8\frac{3}{4}$ $\frac{31}{43}$	3 12 0	0 4 6	12 0	0 2 0
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	. .	. .	. .	. .	52 8 4	2 9 11 $\frac{4}{21}$	17 12 8	0 8 $2\frac{1}{4}$ $\frac{29}{43}$	3 14	0 4 $7\frac{1}{2}$	11 11 6	1 18 7
Fees to ditto subsequent to conviction	3 2 0	0 6 $10\frac{1}{2}$ $\frac{6}{9}$	. .	. .	14 14 0	0 14 0	9 18 0	0 4 $7\frac{1}{4}$ $\frac{1}{43}$	. .	. .	8 15 4	1 9 $2\frac{1}{2}$ $\frac{4}{6}$
Fees on acquittal or discharge	. .	. .	. .	. .	. .	. .	2 8 0	0 1 $1\frac{1}{4}$ $\frac{26}{43}$	7 7 0	0 9 $2\frac{1}{4}$	3 5 2	0 10 $10\frac{1}{4}$ $\frac{2}{6}$
Loss of time and maintenance of witnesses and prosecutors	2 5 6	0 5 $0\frac{1}{2}$ $\frac{6}{9}$	4 6 6	1 8 10	10 3 0	0 9 8	78 7 0	1 16 $5\frac{1}{4}$ $\frac{9}{43}$	11 2 4	0 13 $10\frac{3}{4}$	2 19 0	0 9 10
Travelling expenses and mileage of ditto	. .	. .	. .	. .	1 2 6	0 1 $0\frac{3}{4}$ $\frac{0}{21}$	13 19 0	0 6 $5\frac{3}{4}$ $\frac{19}{43}$	0 10 8	0 0 8	0 11 6	0 1 11
Other expenses not included under any of the preceding heads	6 2 0	0 13 $6\frac{1}{2}$ $\frac{6}{9}$	. .	. .	0 19 0	0 0 $10\frac{3}{4}$ $\frac{0}{21}$	0 1 2	0 0 $0\frac{1}{4}$ $\frac{13}{43}$	1 10 4	0 1 $10\frac{3}{4}$	. .	. .
Total	20 1 2	2 4 $6\frac{3}{4}$ $\frac{5}{9}$	55 18 2	18 12 $8\frac{1}{2}$ $\frac{2}{3}$	171 4 8	8 3 $0\frac{3}{4}$ $\frac{17}{21}$	361 1 11	8 7 $11\frac{1}{4}$ $\frac{29}{43}$	116 13 6	7 5 10 $\frac{1}{2}$	42 19 0	7 3 2

	DEVON.						DORSET.		ESSEX.			
	BRADNINCH.		PLYMOUTH.		TIVERTON.		POOLE.		COLCHESTER.		ROMFORD.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	2 6 8	0 15 $6\frac{1}{2}$ $\frac{2}{3}$	38 19 0	0 13 $10\frac{3}{4}$ $\frac{40}{56}$	3 18 6	0 13 1	. .	. .	. .	. .	4 5 0	0 10 $7\frac{1}{2}$
Attorneys' charges and allowances	. .	. .	. .	. .	. .	. .	32 6 8	3 11 10 $\frac{8}{9}$	41 5 2	1 9 $5\frac{1}{2}$ $\frac{4}{7}$	. .	. .
Payment to counsel and clerk	. .	. .	. .	. .	. .	. .	6 18 6	0 15 $4\frac{1}{2}$ $\frac{6}{9}$	. .	. .	. .	. .
Fees to clerk of indictments	0 6 0	0 2 0	13 7 6	0 4 $9\frac{1}{4}$ $\frac{16}{56}$	0 18 0	0 3 0	. .	. .	. .	. .	1 10 8	0 3 10
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	0 11 0	0 3 8	2 18 10	0 1 $0\frac{1}{2}$ $\frac{24}{56}$	. .	. .	7 16 2	0 17 4 $\frac{8}{9}$	45 9 0	1 12 $5\frac{1}{2}$ $\frac{2}{7}$	23 2 4	2 17 $9\frac{1}{2}$ $\frac{35}{56}$
Fees to ditto subsequent to conviction	. .	. .	2 19 0	0 1 $0\frac{1}{2}$ $\frac{32}{56}$	0 6 0	0 1 0	4 2 0	0 9 $1\frac{1}{4}$ $\frac{33}{56}$	33 1 10	1 3 $7\frac{1}{2}$ $\frac{4}{7}$	0 10 6	0 1 $3\frac{1}{4}$
Fees on acquittal or discharge	2 0 0	0 13 4	. .	. .	. .	. .	3 6 8	0 7 $4\frac{5}{4}$ $\frac{5}{9}$	. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	. .	. .	85 2 9	1 10 $4\frac{3}{4}$ $\frac{25}{56}$	2 12 0	0 8 8	0 14 8	0 1 $7\frac{1}{2}$ $\frac{2}{9}$	54 3 6	1 18 $8\frac{1}{2}$ $\frac{3}{7}$	. .	. .
Travelling expenses and mileage of ditto	4 4 0	1 8 0	3 17 2	0 1 $4\frac{1}{2}$ $\frac{8}{56}$	. .	. .	1 10 0	0 3 4	5 2 0	0 3 $7\frac{1}{2}$ $\frac{6}{7}$	. .	. .
Other expenses not included under any of the preceding heads	. .	. .	. .	. .	. .	. .	. .	. .	1 8 6	0 1 0 $\frac{6}{7}$	. .	. .
Total	9 7 8	3 2 $6\frac{1}{2}$ $\frac{2}{3}$	147 4 3	2 12 $6\frac{3}{4}$ $\frac{36}{56}$	7 14 6	1 5 9	56 14 8	6 6 $0\frac{3}{4}$ $\frac{5}{9}$	180 10 0	6 8 11 $\frac{4}{7}$	29 8 6	3 13 $6\frac{3}{4}$

GLOUCESTERSHIRE.

GLOUCESTER.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	28 15 6	1 11 11 1/2 6/9
Attorneys' charges and allowances	7 12 0	0 8 5 1/4 3/9
Payment to counsel and clerk	1 1 0	0 1 2
Fees to clerk of indictments	3 8 0	0 3 9 1/4 3/9
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	3 3 4	0 3 6 8/9
Fees to ditto subsequent to conviction	9 19 0	0 11 0 1/2 6/9
Fees on acquittal or discharge	5 7 0	0 5 11 1/4 3/9
Loss of time and maintenance of witnesses and prosecutors	14 0 6	0 15 7
Travelling expenses and mileage of ditto	2 15 0	0 3 0 1/2 6/9
Other expenses not included under any of the preceding heads	. .	. .
Total	76 1 4	4 4 6 8/9

TEWKESBURY.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	. .	. .
Attorneys' charges and allowances	21 16 8	2 14 7
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	3 12 6	0 9 0 3/4
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	11 2 4	1 7 9 1/2
Fees to ditto subsequent to conviction	2 15 8	0 6 11 1/2
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	17 13 6	2 4 2 1/4
Travelling expenses and mileage of ditto	. .	. .
Other expenses not included under any of the preceding heads	. .	. .
Total	57 0 8	7 2 7

HANTS.

NEWPORT.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	25 18 0	1 14 6 1/4 2/15
Attorneys' charges and allowances	. .	. .
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	3 4 6	0 4 3 1/2 6/13
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	12 0 8	0 16 0 1/2 2/15
Fees to ditto subsequent to conviction	3 3 0	0 4 2 1/4 2/15
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	15 17 6	1 1 2
Travelling expenses and mileage of ditto	6 3 6	0 8 2 3/4 3/13
Other expenses not included under any of the preceding heads	. .	. .
Total	66 7 2	4 8 5 1/2 14/15

PORTSMOUTH.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	18 11 6	2 1 3 1/4 3/9
Attorneys' charges and allowances	. .	. .
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	1 17 0	0 4 1 1/4 3/9
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	. .	. .
Fees to ditto subsequent to conviction	. .	. .
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	2 0 0	0 4 5 1/4 3/9
Travelling expenses and mileage of ditto	5 0 0	0 11 1 1/4 3/9
Other expenses not included under any of the preceding heads	. .	. .
Total	27 8 6	3 0 11 1/4 3/9

SOUTHAMPTON.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	23 10 0	0 13 0 1/2 6/9
Attorneys' charges and allowances	4 13 4	0 2 7 4/9
Payment to counsel and clerk	5 10 0	0 3 0 1/2 6/9
Fees to clerk of indictments	12 15 6	0 7 1 6/9
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	26 12 10	0 14 9 1/4 4/9
Fees to ditto subsequent to conviction	5 12 6	0 3 1 1/2
Fees on acquittal or discharge	0 6 10	0 0 2 1/4 1/9
Loss of time and maintenance of witnesses and prosecutors	31 12 0	0 17 6 1/2 6/9
Travelling expenses and mileage of ditto	. .	. .
Other expenses not included under any of the preceding heads	. .	. .
Total	110 13 0	3 1 5 1/2 8/9

WINCHESTER.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	. .	. .
Attorneys' charges and allowances	2 2 0	0 14 0
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	0 18 6	0 6 2
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	0 2 10	0 0 11 1/4 1/3
Fees to ditto subsequent to conviction	1 6 0	0 8 8
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	8 6 10	2 15 7 1/4 1/4
Travelling expenses and mileage of ditto	. .	. .
Other expenses not included under any of the preceding heads	. .	. .
Total	12 16 2	4 5 4 1/2 2/3

HEREFORDSHIRE.

HEREFORD.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	7 11 0	0 13 8 1/2 10/11
Attorneys' charges and allowances	9 8 6	0 17 1 1/2 6/11
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	2 4 10	0 4 0 3/4 7/11
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	5 6 6	0 9 8 8/11
Fees to ditto subsequent to conviction	8 12 0	0 15 7 1/2 8/11
Fees on acquittal or discharge	0 9 8	0 0 10 1/2 2/11
Loss of time and maintenance of witnesses and prosecutors	4 11 0	0 8 3 1/4 1/11
Travelling expenses and mileage of ditto	2 17 6	0 5 2 1/2 10/11
Other expenses not included under any of the preceding heads	. .	. .
Total	41 1 0	3 14 7 1/2 6/11

KENT.

CANTERBURY.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	9 3 0	0 18 3 1/2 4/10
Attorneys' charges and allowances	1 1 0	0 2 1 1/10
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	. .	. .
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	14 6 6	1 8 7 3/4 2/10
Fees to ditto subsequent to conviction	. .	. .
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	31 9 8	3 2 11 1/2 4/10
Travelling expenses and mileage of ditto	10 9 0	1 0 10 3/4 7/10
Other expenses not included under any of the preceding heads	2 9 6	0 4 11 1/4 6/10
Total	68 18 8	6 17 10 1/4 6/10

DOVOR.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	32 13 0	1 3 3 3/4 3/7
Attorneys' charges and allowances	1 0 0	0 0 8 1/2 1/7
Payment to counsel and clerk	10 10 0	0 7 6
Fees to clerk of indictments	8 17 6	0 6 4 3/7
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	23 2 0	0 16 6
Fees to ditto subsequent to conviction	. .	. .
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	24 12 0	0 17 6 3/4 3/7
Travelling expenses and mileage of ditto	33 0 0	1 3 6 3/4 3/7
Other expenses not included under any of the preceding heads	. .	. .
Total	133 14 6	4 15 6 6/7

ROCHESTER.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	29 18 10	2 6 0 3/4 1/13
Attorneys' charges and allowances	3 13 6	0 5 7 3/4 1/13
Payment to counsel and clerk	19 5 0	1 9 7 1/4 7/13
Fees to clerk of indictments	4 16 0	0 7 4 1/2 8/13
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	8 8 10	0 12 11 3/4 5/13
Fees to ditto subsequent to conviction	. .	. .
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	11 2 0	0 17 0 3/4 8/13
Travelling expenses and mileage of ditto	1 0 0	0 1 6 1/4 11/13
Other expenses not included under any of the preceding heads	. .	. .
Total	78 4 2	6 0 9 3/4 5/13

TENTERDEN.

	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.
Expenses certified by committing magistrates	2 16 10	1 8 5
Attorneys' charges and allowances	2 13 10	1 6 11
Payment to counsel and clerk	. .	. .
Fees to clerk of indictments	. .	. .
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	1 19 6	0 19 9
Fees to ditto subsequent to conviction	2 3 0	1 1 6
Fees on acquittal or discharge	. .	. .
Loss of time and maintenance of witnesses and prosecutors	0 12 0	0 6 0
Travelling expenses and mileage of ditto	. .	. .
Other expenses not included under any of the preceding heads	. .	. .
Total	10 5 2	5 2 7

EXEMPT JURISDICTIONS AND CORPORATE TOWNS.—SESSIONS, 1833.—ANALYSIS.

	LINCOLNSHIRE.						NORFOLK.		NORTHUMBERLAND.	
	BOSTON.		LINCOLN.		LOUTH.		LYNN.		NEWCASTLE-UPON-TYNE.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	13 18 6	0 15 5½ 6/9	29 1 2	1 4 2½ 2/6	33 1 0	3 6 1 8/10	20 2 6	1 5 1¾ 2/4	19 16 6	1 6 5 12/13
Attorneys' charges and allowances	16 16 0	0 18 8	57 8 0	2 7 10	26 1 2	2 12 1¼ 6/10	39 5 6	2 9 1 2/4	20 6 2	1 7 0¾ 11/13
Payment to counsel and clerk	13 13 0	0 15 2	51 3 6	2 2 7¾	. .	. .	22 1 0	1 7 6¾	35 14 6	2 7 7½ 6/13
Fees to clerk of indictments	. .	. .	6 13 4	0 5 6½ 4/8	. .	. .	. .	. .	1 14 4	0 2 3¼ 12/16
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	13 13 7	0 15 2½ 5/9	29 15 0	1 4 9½	9 8 2	0 18 9¾ 2/10	90 14 0	5 13 4½	1 12 4	0 2 1¾ 7/13
Fees to ditto subsequent to conviction	19 6 0	1 1 5¼ 3/9	4 14 4	0 3 11 4/8	8 10 0	0 17 0	. .	. .	0 6 8	0 0 5¼ 6/13
Fees on acquittal or discharge	. .	. .	. .	. .	1 1 4	0 2 1½ 4/10	. .	. .	0 6 8	0 0 5¼ 6/13
Loss of time and maintenance of witnesses and prosecutors	3 16 0	0 4 2½ 6/9	27 19 10	1 3 3¾ 4/6	7 17 0	0 15 8¼ 6/10	13 16 6	0 17 3¼ 2/4	17 0 6	1 2 8¼ 9/13
Travelling expenses and mileage of ditto	3 16 6	0 4 3	9 8 8	0 7 10¼ 2/6	0 17 0	0 1 8¼ 6/10	15 6 4	0 19 1¾	6 18 0	0 9 2¼ 9/13
Other expenses not included under any of the preceding heads	1 17 4	0 2 0¾ 6/9	0 15 10	0 0 7¾ 4/6	. .	. .	0 11 7	0 0 8½ 3/4	0 6 0	0 0 4¾ 3/13
Total	86 16 11	4 16 5¾ 7/9	216 19 8	9 0 9¾ 2/6	86 15 8	8 13 6¾ 2/10	201 17 5	12 12 4 1/4	104 1 8	6 18 9¼ 5/13

	NOTTS.		OXFORDSHIRE.		SALOP.		SOMERSET.		SUFFOLK.		SURREY.	
	NOTTINGHAM.		BANBURY.		WENLOCK.		BRIDGWATER.		BURY ST. EDMUND'S.		GUILDFORD.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	113 5 2	1 11 5½ 1/6	9 5 6	1 3 2¼	23 8 1	1 16 0 4/13	15 18 0	1 2 8½ 2/7	29 9 6	1 1 10	. .	. .
Attorneys' charges and allowances	77 10 2	1 1 6¼ 4/9	1 1 0	0 2 7½	47 6 4	3 12 9½ 2/13	. .	. .	9 6 0	0 6 10½ 18/27	. .	. .
Payment to counsel and clerk	71 8 0	0 19 10	. .	. .	. .	. .	. .	. .	6 6 0	0 4 8	. .	. .
Fees to clerk of indictments	. .	. .	1 19 0	0 4 10½	2 12 6	0 4 0¼ 11/13	1 8 0	0 2 0	34 12 4	1 5 7½ 22/27	1 5 4	0 6 4
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	58 10 0	0 16 3	8 7 6	1 0 11¼	2 15 0	0 4 2¾ 7/13	5 0 0	0 7 1½ 6/7	15 15 0	0 11 8	0 16 8	0 4 2
Fees to ditto subsequent to conviction	231 7 6	3 4 3¼	. .	. .	1 6 0	0 2 0	14 18 8	1 1 4	17 17 0	0 13 2½ 18/27	. .	. .
Fees on acquittal or discharge	10 17 4	0 3 0 8/9	. .	. .	. .	. .	. .	. .	6 0 4	0 4 5¼ 22/27	. .	. .
Loss of time and maintenance of witnesses and prosecutors	73 6 6	1 0 4½ 6/9	9 5 6	1 3 2¼	14 13 0	1 2 6¼ 11/13	6 2 0	0 8 8½ 2/3	69 7 6	2 11 4½ 18/27	2 0 0	0 10 0
Travelling expenses and mileage of ditto	12 14 6	0 3 6¼ 6/9	. .	. .	. .	. .	3 2 0	0 4 5 4/7	11 0 4	0 8 1¾ 19/27	0 16 0	0 4 0
Other expenses not included under any of the preceding heads	. .	. .	5 8 0	0 13 6	. .	. .	. .	. .	8 3 6	0 6 0½ 18/27	. .	. .
Total	648 19 2	9 0 3 7/9	35 6 6	4 8 3¼	92 0 11	7 1 7½ 3/13	46 8 8	3 6 4	207 17 6	7 13 11¼ 3/27	4 18 0	1 4 6

	SUSSEX.		WARWICKSHIRE.				WORCESTERSHIRE.		YORKSHIRE.	
	HASTINGS.		COVENTRY.		WARWICK.		WORCESTER.		BEVERLEY.	
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	5 10 6	0 18 5	6 4 0	0 17 $8\frac{2}{7}$	17 12 0	1 5 $1\frac{6}{14}$	17 0 6	1 2 $8\frac{8}{15}$	4 10 0	1 2 6
Attorneys' charges and allowances	. .	. .	15 12 10	2 4 $8\frac{4}{7}$	27 6 0	1 19 0	40 15 0	2 14 4	3 3 0	0 15 9
Payment to counsel and clerk	. .	. .	15 11 6	2 4 6	15 5 6	1 1 $9\frac{3}{14}$	18 3 0	1 4 $2\frac{8}{15}$	3 10 6	0 17 $7\frac{1}{2}$
Fees to clerk of indictments	8 16 0	1 9 4	1 14 0	0 4 $10\frac{1}{7}$	4 17 8	0 6 $11\frac{6}{14}$	5 7 6	0 7 2	0 8 0	0 2 0
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	. .	. .	2 16 3	0 8 $0\frac{5}{7}$	7 7 2	0 10 6 $\frac{4}{14}$	7 3 2	0 9 $6\frac{3}{15}$	1 7 6	0 6 $10\frac{1}{2}$
Fees to ditto subsequent to conviction	0 12 0	0 2 0	3 2 2	0 8 $10\frac{2}{7}$	5 6 2	0 7 7	3 15 2	0 5 0 $\frac{8}{15}$	. .	. .
Fees on acquittal or discharge	. .	. .	0 14 0	0 2 0	2 5 10	0 3 $3\frac{1}{14}$	. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	1 17 6	0 6 3	5 19 6	17 $0\frac{3}{7}$	12 18 0	0 18 5 $\frac{4}{14}$	13 18 0	0 18 $6\frac{8}{15}$	3 3 6	0 15 $10\frac{1}{2}$
Travelling expenses and mileage of ditto	. .	. .	1 8 0	0 4 0	5 18 0	0 8 5 $\frac{4}{14}$	2 5 0	0 3 0	. .	. .
Other expenses not included under any of the preceding heads	2 14 1	0 9 0 $\frac{4}{6}$	. .	. .	. .	. .	. .	. .	. .	. .
Total	19 10 1	3 5 0 $\frac{4}{6}$	53 2 3	7 11 9	98 16 4	7 1 2	108 7 4	7 4 $5\frac{7}{15}$	16 2 6	4 0 $7\frac{1}{2}$

	YORKSHIRE—(*continued*).				Total 41 Exempt Jurisdictions and Corporate Towns.		ANGLESEA.		PEMBROKESHIRE.		Total of two Exempt Jurisdictions in Wales.	
	LEEDS.		PONTEFRACT.				BEAUMARIS.		HAVERFORDWEST.			
	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.	Total Amount on Prosecutions.	Average Amount on each Prosecution.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses certified by committing magistrates	66 2 0	1 7 $2\frac{1}{2}$ $\frac{138}{183}$	27 14 10	1 19 $7\frac{2}{7}$	737 14 11	0 17 $10\frac{1}{2}$ $\frac{386}{825}$	2 10 0	1 5 0	. .	. .	2 10 0	0 8 4
Attorneys' charges and allowances	157 1 6	0 17 2	12 0 4	0 17 2	986 16 3	1 3 11 $\frac{240}{825}$	8 10 8	4 5 4	21 10 8	5 7 8	30 1 4	5 0 $2\frac{4}{6}$
Payment to counsel and clerk	213 17 0	1 3 $4\frac{1}{4}$ $\frac{153}{183}$	15 1 0	1 1 6	634 19 6	0 15 $4\frac{1}{2}$ $\frac{726}{825}$	3 3 0	1 11 6	. .	. .	3 3 0	0 10 6
Fees to clerk of indictments	40 15 0	0 4 $5\frac{1}{4}$ $\frac{141}{183}$	2 2 0	0 3 0	195 11 0	0 4 $8\frac{3}{4}$ $\frac{498}{825}$	. .	. .	. .	. .	. .	. .
Fees to clerk of the peace and subordinate officers (exclusive of clerk of indictments) prior to conviction or acquittal	33 12 8	0 3 8 $\frac{80}{154}$	7 5 8	0 10 $4\frac{3}{7}$	567 8 10	0 13 9 $\frac{244}{825}$	6 3 8	3 1 10	4 5 4	1 1 4	10 9 0	1 14 10
Fees to ditto subsequent to conviction	64 2 6	0 7 0 $\frac{72}{183}$	2 10 6	0 3 $7\frac{1}{4}$ $\frac{4}{6}$	488 14 6	0 11 10 $\frac{570}{825}$	1 12 8	0 16 4	3 19 8	0 19 11	5 12 4	0 18 $8\frac{1}{2}$ $\frac{1}{6}$
Fees on acquittal or discharge	. .	. .	1 12 0	0 2 $3\frac{1}{4}$ $\frac{6}{7}$	47 7 10	0 1 $1\frac{3}{4}$ $\frac{121}{825}$	. .	. .	. .	. .	. .	. .
Loss of time and maintenance of witnesses and prosecutors	250 10 6	1 7 $4\frac{1}{2}$ $\frac{42}{183}$	17 16 6	1 5 $5\frac{1}{2}$ $\frac{2}{7}$	965 1 1	1 3 $4\frac{1}{2}$ $\frac{802}{825}$	0 7 6	0 3 9	4 2 0	1 0 6	4 9 6	0 14 11
Travelling expenses and mileage of ditto	. .	. .	. .	. .	165 12 2	0 4 0 $\frac{684}{825}$	. .	. .	. .	. .	. .	. .
Other expenses not included under any of the preceding heads	. .	. .	. .	. .	32 6 10	0 0 $9\frac{1}{4}$ $\frac{223}{825}$	. .	. .	. .	. .	. .	. .
Total	826 1 2	4 10 $3\frac{1}{2}$ $\frac{77}{183}$	86 2 10	6 3 $0\frac{3}{7}$ $\frac{6}{7}$	4,821 12 11	5 16 $10\frac{1}{2}$ $\frac{530}{825}$	22 7 6	11 3 9	33 17 8	8 9 5	56 5 2	9 7 $6\frac{1}{2}$ $\frac{3}{6}$

TABLE Showing the EXPENSE and NUMBER of PROSECUTIONS in Exempt Jurisdictions.

Counties.	Exempt Jurisdictions.	Year.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
			£. s. d.	£. s. d.			£. s. d.	£. s. d.		
BERKS . . .	ABINGDON . .	1829	. . .	17 5 0	..	7			None; except for maintenance and custody of prisoners.	None under any Act of Parliament; but 2s. 11d per week paid to the county for each prisoner.
		1830	102 11 0	. . .	2	..				
		1831	71 19 0	6 2 0	2	2				
		1832	. . .	18 18 8	..	6				
		1833	. . .	11 18 0	..	5				
			174 10 0	54 3 8	4	20	43 12 6	2 14 2		
	READING . .	1832	. . .	85 12 2	..	18			None.	The town of Reading has always paid the Treasurer of the county for the maintenance of the borough prisoners only.
		1833	. . .	33 11 10	..	6				
				119 4 0		24	. . .	4 19 4		
	WINDSOR . .	1829	. . .	11 19 6	..	9			None; except for subsistence of prisoners.	No agreement; but payment made for such subsistence.
		1830	. . .	13 4 10	..	8				
		1831	. . .	11 15 6	..	10				
		1832	. . .	20 5 0	..	13				
		1833	. . .	31 18 0	..	15				
				89 2 10		55	. . .	1 12 4¾		
BUCKS . . .	BUCKINGHAM.	1829	41 9 6	18 18 10	1	2			None.	None.
		1830	27 13 0	. . .	2	..				
		1831	44 0 8	5 1 6	2	1				
		1832	. . .	. . .	..	..				
		1833	78 14 0	3 18 0	3	1				
			191 17 2	27 18 4	8	4	23 19 7¾	6 19 7		
CAMBRIDGE-SHIRE.	CAMBRIDGE .	1829	39 10 0	296 12 2	4	30			None; except for maintenance of prisoners tried at Assizes.	None.
		1830	18 3 0	287 15 9	2	25				
		1831	108 8 4	152 11 10	7	15				
		1832	141 13 0	287 2 6	18	28				
		1833	248 13 4	154 9 11	17	21				
			555 18 8	1178 12 2	48	119	11 11 7½	9 18 1		
CORNWALL .	WEST LOOE .	1829	57 18 11	. . .	1	..			None.	None.
		1830	. . .	1 4 5	..	1				
			57 18 11	1 4 5	1	1	57 18 11	1 4 5		
	LOSTWITHIEL	1833	10 15 4	. . .	1	..			None; except for maintenance, &c. of prisoners.	None.
					1		10 15 4			
	HELSTON . .	1829	27 3 4	. . .	1	..			None; except for maintenance, &c. of prisoners.	None under any Act of Parliament.
		1832	. . .	26 0 0	..	4				
		1833	. . .	5 15 0	..	1				
			27 3 4	31 15 0	1	5	27 3 4	6 7 0		
	ST. IVES . .	1832	38 6 1	. . .	2	..			None; except for maintenance, &c. of prisoners.	None.
		1833	. . .	4 12 8	..	1				
			38 6 1	4 12 8	2	1	19 3 0½	4 12 8		
	EAST LOOE .	1829	. . .	6 7 0	..	1			None; except for maintenance of prisoners.	None.
		1832	13 0 6	. . .	1	..				
			13 0 6	6 7 0	1	1	13 0 6	6 7 0		
	FALMOUTH .	1829	25 1 2	. . .	1	..			None; except for maintenance of prisoners.	Agreement to pay 1s a-day per prisoner.
		1833	. . .	4 13 10	..	2				
			25 1 2	4 13 10	1	2	25 1 2	2 6 11		

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
			£. s. d.	£. s. d.			£. s. d.	£. s. d.		
CORNWALL.	PENRYN . .	1829	49 9 8	. . .	1	..			None; except for maintenance of prisoners.	None.
		1831	. . .	9 4 8	..	3				
		1832	17 17 10	. . .	1	..				
		1833	. . .	1 1 2	..	1				
			67 7 6	10 5 10	2	4	33 13 9	2 11 5½		
	LAUNCESTON.	1829	8 4 6	. . .	1	..			Maintenance and custody of prisoners.	None.
		1831	29 8 0	22 11 6	2	5				
		1832	. . .	10 4 6	..	2				
		1833	16 1 0	. . .	1	..				
			53 13 6	32 16 0	4	7	13 8 4½	4 13 8½		
	TRURO . . .	1829	. . .	46 6 0	..	4			Conveyance and maintenance of prisoners.	None.
		1830	64 15 8	38 8 8	2	3				
		1831	. . .	26 17 8	..	3				
		1832	. . .	17 10 9	..	2				
		1833	. . .	38 5 8	..	2				
			64 15 8	167 2 9	2	14	32 7 10	11 18 9		
	SALTASH . .	——	None.	None.	——	——	——	——	The county gives to the borough of Saltash the privilege of sending its prisoners to the gaol at Bodmin, paying 1s. per day, and charge of conveyance. This is seldom taken advantage of.	
DERBYSHIRE	DERBY . . .	1829	45 7 6	270 0 8	2	51			None.	None.
		1830	. . .	184 11 7	..	29				
		1831	19 18 6	169 9 0	1	32				
		1832	202 13 8	110 18 2	10	22				
		1833	. . .	214 19 8	..	38				
			267 19 8	949 19 1	13	172	20 12 3½	5 10 5½		
DEVONSHIRE	BARNSTAPLE.	1829	. . .	23 11 2	..	5			None, except in capital cases. In these charge on the county for custody & maintenance, sometimes for prosecution.	None.
		1830	. . .	14 13 4	..	3				
		1831	20 15 0	15 17 2	1	3				
		1832	. . .	7 16 4	..	2				
		1833	. . .	48 7 0	..	11				
			20 15 0	110 5 0	1	24	20 15 0	4 11 10½		
	BRADNINCH.	1829	. . .	3 1 0	..	1	——		None.	None.
		1830	. . .	5 12 0	..	1				
		1831	. . .	12 3 10	..	6				
		1833	. . .	22 11 0	..	3				
				43 7 10		11	. . .	3 18 10½		
	TIVERTON . .	1829	. . .	1 7 8	..	2			All prisoners charged with felony sent under charter to county gaol, without payment to county.	An agreement in respect of prisoners on summary convictions (for a term now expired) made under 5 G. IV. c. 85.
		1830	. . .	0 17 6	..	1				
		1831	. . .	2 0 6	..	3				
		1832	11 2 0	11 1 0	1	3				
		1833	. . .	5 17 0	..	5				
			11 2 0	21 3 8	1	14	11 2 0	1 10 3		
	OKEHAMPTON.	1829	11 19 10	. . .	1	..			None, except for custody & maintenance after commitment.	None.
		1831	. . .	8 15 8	..	1				
		1832	. . .	10 9 9	..	2				
			11 19 10	19 5 5	1	3	11 19 10	6 8 5½		
	SOUTH MOLTON.	1829	. . .	15 3 8½	..	9			——	——
		1830	. . .	22 9 2½	..	3				
		1831	. . .	24 13 11	..	2				
		1832	15 3 4	4 14 4	1	1				
			15 3 4	67 1 2½	1	15	15 13 4	4 9 5		

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
				£. s. d.				£. s. d.		
DEVONSHIRE	GREAT TORRINGTON.	1829	. . .	11 8 0	..	4			None, except for maintenance.	None.
		1830	. . .	6 18 6	..	2				
		1831	. . .	5 17 6	..	2				
		1832	. . .	7 15 6	..	3				
		1833	12 4 8	10 7 0	1	3				
			12 4 8	42 6 6	1	14	12 4 8	3 0 5½		
	BIDEFORD . .	1831	. . .	2 17 4	..	1			None.	—
		1832	. . .	25 14 7½	..	7				
		1833	. . .	3 17 10	..	1				
				32 9 9½		9	. . .	3 12 2¼		
	DARTMOUTH .	—	None.	None.	—	—	—	—	—	Conveyance of prisoners to county gaol always paid for by Corporation.
DORSET . . .	POOLE . . .	1829	. . .	33 16 2	..	8			—	Composition under 5 Geo. IV. c. 85; no time fixed for termination; paid under it, 1830, 25*l.*, 1831, 9*l.* 10*s.* 8*d.*, 1832, 9*l.* 10*s.* 8*d.*
		1830	. . .	44 12 8	..	6				
		1831	. . .	8 1 6	..	2				
		1832	. . .	17 3 0	..	7				
		1833	. . .	56 14 8	..	9				
				160 8 0		32	. . .	5 0 3		
ESSEX . . .	COLCHESTER .	1829	. . .	305 11 0	..	45			For maintenance of prisoners.	None, but a clause in the act for building the county gaol, that Colchester should send prisoners, paying double for the maintenance, and be exempt from the gaol rate.
		1830	. . .	301 17 6	..	39				
		1831	. . .	271 14 0	..	40				
		1832	. . .	352 16 6	..	49				
		1833	. . .	179 8 6	..	27				
				1,411 7 6		200	. . .	7 1 1½		
	BRIGHTLINGSEA	1833	56 0 0	13 0 0	Not known.	10	—	1 6 0	—	Composition to said prisoners at double the rate charged for county prisoners.
GLOUCESTERSHIRE.	TEWKESBURY.	1829	141 13 2	37 10 10	6	7			None.	None.
		1830	182 1 10	49 0 10	8	7				
		1831	86 1 0	111 8 7	1	11				
		1832	53 18 10	167 14 8	1	16				
		1833	. . .	69 6 2	..	8				
			463 14 10	435 1 1	16	49	28 19 8	8 17 6¾		
	GLOUCESTER.	1829	141 19 0	57 6 11	17	13			—	—
		1830	161 4 1	62 2 8	14	15				
		1831	175 5 8	113 7 0	16	25				
		1832	343 18 8	107 15 0	29	21				
		1833	187 16 2	81 16 10	17	23				
			1,010 3 7	422 8 5	93	97	10 17 2¾	4 7 1		
HAMPSHIRE	WINCHESTER	1829	. . .	1 19 0	..	2			None, except for custody of prisoners sentenced to hard labour.	Agreement for payment of a weekly sum for maintenance of such prisoners.
		1831	. . .	2 3 0	..	3				
		1832	. . .	5 0 6	..	4				
		1833	. . .	15 14 4	..	4				
				24 16 10		13	. . .	1 18 2½		
	ANDOVER . .	1829	30 9 0	3 8 6	2	3			None, except for maintenance and custody of prisoners.	None.
		1830	27 3 4	5 17 6	3	5				
		1831	. . .	2 4 6	..	2				
		1832	6 19 6	4 6 6	1	5				
		1833	16 7 6	2 8 6	1	3				
			80 19 4	18 5 6	7	18	11 11 4	1 0 3½		
	PORTSMOUTH .	1829	. . .	13 17 6	..	4			Maintenance and custody of prisoners.	None.
		1830	403 13 0	44 12 0	2	18				
		1831	116 13 8	12 7 6	7	11				
		1832	63 8 6	36 11 3	3	13				
		1833	. . .	27 11 6	..	8				
			583 15 2	134 19 9	12	54	48 12 11	2 9 11¾		

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases. £. s. d.	Expenditure in Town Cases. £. s. d.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case. £. s. d.	Average Expense of each Town Case. £. s. d.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
AMPSHIRE .	SOUTHAMPTON	1829	21 8 8	60 3 8	2	22			None.	None.
		1830	38 16 0	72 2 8	1	20				
		1831	74 3 4	26 8 8	3	14				
		1832	119 10 8	71 5 7	3	30				
		1833	. . .	110 6 10	..	35				
			253 18 8	340 7 5	9	121	28 4 3½	2 16 3		
HEREFORD-SHIRE.	HEREFORD . .	1829	82 10 4	67 6 2	7	19			None.	Agreement to pay 4*s.* 6*d.* per week for each prisoner.
		1830	59 19 2	62 18 2	5	17				
		1831	252 17 4	49 16 0	11	12				
		1832	188 11 6	48 19 10	7	16				
		1833	49 12 8	40 11 0	5	11				
			633 11 0	269 11 2	35	75	18 2 0½	3 11 10½		
HERTFORD-SHIRE.	ST. ALBAN'S . Return refused without payment.	—	—	—	—	—	—	—	—	—
HUNTINGDON-SHIRE.	HUNTINGDON .	1829	13 3 6	3 16 6	2	3			None; except for custody & maintenance of prisoners.	None.
		1830	31 11 0	5 18 0	5	2				
		1831	32 2 9	24 19 8	4	6				
		1832	. . .	2 14 8	..	1				
		1833	12 17 0	4 15 6	1	1				
			89 14 3	42 4 4	12	13	7 9 6½	3 4 11½		
KENT	FAVERSHAM .	1831	. . .	8 1 4	..	1			None.	None.
		1832	. . .	15 12 10	..	3				
		1833	. . .	23 10 4	..	3				
				47 4 6		7	. . .	6 14 11		
	ROMNEY MARSH	1829	. . .	12 9 9	..	2			None.	None.
		1830	. . .	2 5 2	..	1				
		1831	. . .	2 10 6	..	1				
		1832	. . .	14 9 2	..	1				
		1833	. . .	4 16 0	..	1				
				36 10 7		6	. . .	6 1 9		
	NEW ROMNEY	1833	. . .	10 14 0	..	1	. . .		None; except for prisoners.	An agreement under 5 Geo. IV. c. 85, to pay 1*s.* a-day for prisoners.
				10 14 0				10 14 0		
	FOLKSTONE .	1829	. . .	13 0 8	..	2			None.	None.
		1830	. . .	10 13 4	..	1				
		1833	. . .	8 11 6	..	2				
				32 5 6		5	. . .	6 9 1		
	ROCHESTER .	1829	. . .	15 15 6	..	6			None.	None.
		1830	. . .	61 6 8	..	8				
		1831	. . .	30 17 8	..	6				
		1832	. . .	26 14 4	..	6				
		1833	. . .	78 4 2	..	13				
				212 18 4		39	. . .	5 9 2¼		
	TENTERDEN .	1829	. . .	4 12 6	..	2			None; except for custody & maintenance of prisoners.	An agreement under 5 Geo. IV., for 7*s.* per week.
		1830	108 5 0	. . .	5	..				
		1831	. . .	20 8 4	..	4				
		1832	. . .	24 12 10	..	5				
		1833	92 11 2	10 5 2	3	2				
			200 16 2	59 18 10	8	13	25 2 0½	4 12 2½		
	HYTHE . .	1829	—	29 0 0	..	8			None.	None.
		1830		25 1 10	..	3				
		1831		16 14 2	..	3				
		1832		16 13 0	..	3				
				87 9 0		17	. . .	5 2 10½		

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or Authority.
			£. s. d.	£. s. d.						
KENT	DEAL . . .	1829	. . .	7 16 4	..	2			None.	None.
		1830	. . .	66 5 1½	..	7				
		1831	. . .	16 3 0	..	5				
		1832	. . .	17 5 6	..	6				
		1833	. . .	5 18 8	..	3				
				113 8 7½		23	. . .	4 18 7½		
	SANDWICH . .	1829	. . .	85 16 4	..	11			None.	None.
		1830	. . .	55 2 10	..	8				
		1831	. . .	75 11 3	..	11				
		1832	. . .	117 14 2	..	14				
		1833	. . .	111 6 8	..	16				
				445 11 3		60	. . .	7 8 6¼		
	CANTERBURY.	1829	. . .	None.	..	..			None, being a County of itself.	None.
		1830	. . .	44 12 4	..	4				
		1831	. . .	73 16 4	..	20				
		1832	. . .	177 9 10	..	22				
		1833	. . .	67 10 8	..	12				
				363 9 2		58	. . .	6 5 3¾		
	QUEENBOROUGH	1829	33 13 4	. . .	1			. . .	None, except for maintenance of prisoners.	Contract under 5 Geo. IV. c. 85, by which 7*s.* 6*d.* per week is paid for each prisoner.
			33 13 4		1	..	33 13 4			
LINCOLNSHIRE.	LINCOLN . .	1829	188 12 0	155 4 0	13	18			None.	None.
		1830	78 10 2	66 15 8	3	9				
		1831	38 19 6	212 1 2	3	27				
		1832	30 5 6	131 1 1	3	16				
		1833	33 14 2	183 5 6	3	21				
			370 1 4	748 7 5	25	91	14 16 0½	8 4 5½		
	BOSTON . . .	1829	. . .	26 19 8	..	11			None.	None.
		1830	. . .	14 2 4	..	6				
		1831	13 10 0	39 15 4	1	13				
		1832	70 0 6	37 17 3	2	7				
		1833	80 8 4	166 2 6	4	34				
			163 18 10	284 17 1	7	71	23 8 4¾	4 0 2¾		
	GT. GRIMSBY .	1829	Amount cannot be ascertained.	2 19 4	1	2			None, except for maintenance of prisoners.	None.
		1830		1 8 0	..	1				
		1831		. . .	1	..				
		1832		9 4 0	..	4				
		1833		5 7 4	..	3				
				18 18 8	2	10	. . .	1 17 10¼		
	STAMFORD . .	1829	. . .	39 16 10	..	10			None, except for maintenance of prisoners.	The full sum repaid to the county.
		1830	14 14 6	3 12 0	1	3				
		1831	375 10 9	48 4 7	15	14				
		1832	. . .	64 4 6	..	19				
		1833	66 12 8	99 9 4	2	29				
			456 17 11	255 7 3	18	75	25 7 7¾	3 8 1		
NORTHUMBERLAND.	NEWCASTLE .	1829	477 14 0	133 19 4	20	23			None.	None.
		1830	329 1 0	95 10 8	10	18				
		1831	465 8 9	160 3 2	25	24				
		1832	310 0 0	62 7 10	12	23				
		1833	229 6 9	98 9 0	12	14				
			1811 10 6	550 10 0	87	102	20 16 5	5 7 11¼		
NORFOLK . .	THETFORD . .	1829	24 2 0	. . .	1	..			None.	None.
		1830	. . .	5 2 4	..	1				
		1831	. . .	45 8 2	..	3				
		1832	. . .	4 5 8	..	1				
			24 2 0	54 16 2	1	5	24 2 0	10 19 2¾		
	KING'S LYNN.	1829	. . .	249 2 9	..	16			None.	None.
		1830	. . .	163 3 9	..	10				
		1831	. . .	136 0 9	..	7				
		1832	. . .	96 16 11	..	8				
		1833	. . .	386 12 10	..	32				
				1031 17 0		73	. . .	14 2 8¼		

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases. £. s. d.	Expenditure in Town Cases. £. s. d.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case. £. s. d.	Average Expense of each Town Case. £. s. d.	Charge on the County at large.	Payment by Composition, or Agreement, or otherwise.
NORFOLK . .	NORWICH . .	1829	355 19 11	260 7 10	16	65			None.	None.
		1830	242 15 10	193 4 4	12	53				
		1831	214 19 6	172 14 6	11	59				
		1832	211 3 8	151 14 0	9	53				
		1833	407 6 0	161 5 6	23	42				
			1,432 4 11	939 6 2	71	272	20 3 5¼	3 9 0¾		
	GT. YARMOUTH	1829	. . .	1 10 0*	..	2			——	——
		1830	. . .	4 1 0	..	6				
		1831	. . .	3 17 0	..	4				
		1832	. . .	20 11 6	..	18				
		1833	. . .	24 8 6	..	20				
				54 8 0		50	. . .	1 1 9		
NORTHAMP-TONSHIRE.	NORTHAMPTON	1829	166 6 11	105 19 6	9	17			None.	None.
		1830	33 14 6	50 14 4	2	8				
		1831	26 12 2	63 7 10	2	11				
		1832	99 13 0	120 13 8	8	22				
		1833	90 10 10	62 19 10	1	12				
			416 17 5	403 15 2	22	70	18 18 11½	5 15 4½		
	PETERBOROUGH	1829	10 6 0	52 2 11	1	6			None.	None.
		1830	14 7 6	92 4 7	1	15				
		1831	. . .	81 10 4	..	13				
		1832	37 7 6	116 17 2	1	25				
		1833	78 9 0	168 9 2	3	20				
			140 10 0	511 4 2	6	79	23 8 4	6 9 5		
	DAVENTRY . .	1829	37 5 6	. . .	3	..			For maintenance and custody.	None; the borough having a right under charter to commit to county gaol.
		1830	17 1 6	. . .	1	..				
		1831	20 13 6	. . .	2	..				
		1832	. . .	5 6 0	..	1				
		1833	53 16 10	. . .	4	..				
			128 17 4	5 6 0	10	1	12 17 8¾	5 6 0		
SALOP	WENLOCK . .	1829	25 12 8	39 3 2	1	6			None.	None.
		1830	51 4 2	58 7 10	3	10				
		1831	13 0 2	22 13 8	1	3				
		1832	45 9 8	36 16 7	2	5				
		1833	14 6 10	92 8 11	1	13				
			149 13 6	249 10 2	8	37	18 14 2¼	6 14 10¼		
	OSWESTRY .	1829	20 9 6	47 9 8	1	9			None.	None.
		1830	. . .	15 9 10	..	4				
		1831	15 7 4	13 9 4	1	4				
		1832	. . .	59 18 6	..	9				
		1833	37 18 4	7 15 5	1	2				
			73 15 2	144 2 9	3	28	24 11 8½	5 2 11¼		
	ALBRIGHTON .	1829	. . .	14 7 4	..	1			None; except for maintenance of prisoners.	The borough pays 4d. per day for the maintenance of each prisoner.
		1831	. . .	8 2 6	..	1				
		1832	. . .	6 10 0	..	1				
		1833	8 18 4	13 18 0	1	1				
			8 18 4	42 17 10	1	4	8 18 4	10 14 5½		
SUFFOLK . .	BURY . . . . This includes the town and borough only, not the liberty of Bury, which is very extensive.	1829	12 0 6	72 2 4	1	14			For custody only.	An agreement with the county magistrates to have the use of the county gaol.
		1830	14 19 0	64 5 6	3	12				
		1831	15 3 6	85 14 6	2	16				
		1832	36 16 8	139 10 0	4	18				
		1833	65 3 8	217 11 3	5	28				
			144 3 4	579 3 7	15	88	9 12 2½	6 11 7¼		
	IPSWICH . . .	1829	73 5 0	53 10 10	2	18			None.	None.
		1830	63 10 0	82 10 7	1	29				
		1831	. . .	144 15 10	.	23				
		1832	37 12 6	101 14 8	1	30				
		1833	. . .	129 16 11	..	36				
			174 7 6	512 8 10	4	136	43 11 10½	3 15 4½		

* These expenses are stated to have consisted merely of payments to witnesses.

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Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
			£. s. d.	£. s. d.			£. s. d.	£. s. d.		
SUFFOLK . .	Eye.	1829	. . .	14 10 10	..	2			None; except for maintenance of prisoners.	Reimbursed to the county.
		1830	66 3 6	17 4 6	1	2				
		1831	. . .	19 4 2	..	3				
		1832	. . .	10 12 11	..	1				
		1833	. . .	6 10 6	..	1				
			66 3 6	68 2 11	1	9	66 3 6	7 11 5		
SUSSEX . . .	Pevensey . .	1829	. . .	12 10 0	1	2			None; except for maintenance.	Agreement under 5 Geo. IV. at 1s. 6d. per diem.
		1830	12 16 0	. . .	..	..				
		1833	4 17 0	. . .	1	..				
			17 13 0	12 10 0	2	2	8 16 6	6 5 0		
	Rye. . . .	1833	. . .	7 2 0	. .	1			None.	None.
				7 2 0	. .	1	. . .	7 2 0		
	Chichester .	1829	12 13 0	——	Number of cases not stated.	——	——	——	None.	None.
		1830	15 0 0							
		1831	18 0 0							
		1832	27 8 0							
		1833	9 0 0							
			82 1 0							
	Hastings . .	1829	. . .	50 1 8	..	15			None; except for maintenance of prisoners.	Agreement to pay 1s. 6d. a-day per prisoner.
		1830	83 14 4	48 4 4	3	13				
		1831	17 12 6	18 4 2	1	6				
		1832	5 13 0	36 10 8	1	13				
		1833	223 15 9	13 0 2	5	5				
			330 15 7	166 1 0	10	52	33 1 6½	3 3 10¼		
	Winchelsea .	1830	None.	29 8 0	. .	1	——		None.	None.
		1831		8 3 0	. .	2				
				37 11 0		3		12 10 4		
WARWICK-SHIRE.	Coventry . .	1829	307 11 0	203 3 8	27	23			——	——
		1830	116 18 8	116 18 6	11	11				
		1831	380 5 10	84 14 7	18	11				
		1832	359 6 6	108 1 0	23	16				
		1833	203 8 6	45 11 11	20	6				
			1,367 10 6	558 9 8	99	67	13 16 3	8 6 8½		
WESTMOR-LAND.	Kendal. . .	1829	39 2 10	24 12 10	3	5			None; except for maintenance of prisoners.	The town pays 4d. a-day for each prisoner.
		1830	. . .	29 3 3	..	5				
		1831	. . .	55 16 10	..	4				
		1832	47 12 6	80 19 4	2	8				
		1833	83 18 8	95 7 8	2	9				
			170 14 0	285 19 11	7	31	24 7 8½	9 4 6		
WORCESTER-SHIRE.	Worcester .	1829	131 15 3	104 0 2	20	23			None.	None.
		1830	37 12 0	74 1 10	6	17				
		1831	112 19 4	123 4 10	3	17				
		1832	47 10 4	251 16 7	5	40				
		1833	124 13 6	108 11 0	15	16				
			454 10 5	661 14 5	49	113	9 5 6	5 17 1¼		
YORKSHIRE.	Ainsty and City of York.	1829	61 16 8	357 5 4	2	57			——	——
		1830	139 12 7	298 15 8	4	52				
		1831	30 18 4	218 4 6	2	38				
		1832	68 17 8	287 19 2	2	51				
		1833	88 10 2	211 15 10	4	39				
			389 15 5	1,374 0 6	14	237	27 16 9¾	5 15 11½		
	Kedon . . .	. .	None.	None.	——	——	——	——	A contract in force till Sept. 10th 1839. Every convict, 4s. 1d. weekly; every unconvicted prisoner, 5s. 10d. weekly. To provide the clothing required by the prison rules, medical attendance and extra diet, and to pay funeral expenses if prisoner dies.	

Counties.	Exempt Jurisdictions.	Years.	Expenditure in Assize Cases.	Expenditure in Town Cases.	Number of Assize Cases.	Number of Town Cases.	Average Expense of each Assize Case.	Average Expense of each Town Case.	Charge on County at large.	Payment by Composition, or Agreement, or otherwise.
			£. s. d.	£. s. d.			£. s. d.	£. s. d.		
YORKSHIRE.	Beverley . .	1829	. . .	33 9 6	..	8			For maintenance of prisoners in House of Correction for East Riding.	Agreement with magistrates of East Riding, under 5 Geo. IV. c. 85.
		1830	. . .	36 17 11	..	9				
		1831	32 10 0	39 13 6	1	7				
		1832	. . .	88 9 8	..	20				
		1833	32 17 10	16 2 0	1	4				
			65 7 10	214 12 7	2	48	32 13 11	4 9 5		
	Hull. . . .	1829	64 7 9	170 3 10	1	64			None; except for maintenance of prisoners sent to York for trial at the Assizes.	
		1830	92 15 9	133 4 3	2	40				
		1831	. . .	351 16 4	.	106				
		1832	94 9 5	384 1 7	2	74				
		1833	176 7 7	360 2 2	3	84				
			428 0 6	1399 8 2	8	368	53 10 0¾	3 16 0½		
ANGLESEA . .	Beaumaris . .	1830	. . .	12 6 6	..	1			—	Contract with the county to pay one-twentieth part of the expense of the gaol establishment.
		1832	. . .	30 1 8	..	2				
		1833	. . .	22 1 6	..	2				
				64 9 8		5	. . .	12 17 11		
BRECON . . .	Brecknock and Town of Llywel.	1829	. . .	30 0 5	..	5			—	—
		1830	110 7 8	16 19 2	7	2				
		1831	20 0 0	6 0 0	1	1				
		1832	. . .	9 0 0	..	1				
		1833	65 7 0	12 0 0	3	2				
			195 14 8	73 19 7	11	11	17 15 10½	6 14 6		
PEMBROKE .	Tenby	1829	. . .	5 0 0	..	1			None; except for maintenance of prisoners.	Agreement to reimburse the county the expense incurred.
		1830	. . .	5 0 0	..	1				
		1833	. . .	5 0 0	..	1				
				15 0 0		3	. . .	5 0 0		

SUMMARY of the foregoing TABLE, showing the EXPENSE and NUMBER of PROSECUTIONS in EXEMPT JURISDICTIONS.

Counties.	Exempt Jurisdictions.	Expenditure in Assize Cases in Five Years.	Expenditure in Town Cases in Five Years.	Number of Assize Cases in Five Years.	Number of Town Cases in Five Years.	Average Expense of each Assize Case.	Average Expense of each Town Case.
		£. s. d.	£. s. d.			£. s. d.	£. s. d.
BERKS	Abingdon	174 10 0	54 3 8	4	20	43 12 6	2 14 2
	Reading	. .	119 4 0	..	24	. .	4 19 4
	Windsor	. .	89 2 10	..	55	. .	1 12 4¾
BUCKS	Buckingham	191 17 2	27 18 4	8	4	23 19 7¾	6 19 7
CAMBRIDGESHIRE	Cambridge	555 18 8	1,178 12 2	48	119	11 11 7½	9 18 1
CORNWALL	West Looe	57 18 11	1 4 5	1	1	57 18 11	1 4 5
	Lostwithiel	10 15 4	. .	1	..	10 15 4	. .
	Helston	27 3 4	31 15 0	1	5	27 3 4	6 7 0
	St. Ives	38 6 1	4 12 8	2	1	19 3 0½	4 12 8
	East Looe	13 0 6	6 7 0	1	1	13 0 6	6 7 0
	Falmouth	25 1 2	4 13 10	1	2	25 1 2	2 6 11
	Penryn	67 7 6	10 5 10	2	4	33 13 9	2 11 5½
	Launceston	53 13 6	32 16 0	4	7	13 8 4½	4 13 8¼
	Truro	64 15 8	167 2 9	2	14	32 7 10	11 18 9
DERBYSHIRE	Derby	267 19 8	949 19 1	13	172	20 12 3¼	5 10 5½
DEVON	Barnstaple	20 15 0	110 5 0	1	24	20 15 0	4 11 10½
	Bradninch	. .	43 7 10	..	11	. .	3 18 10½
	Tiverton	11 2 0	21 3 8	1	14	11 2 0	1 10 3
	Okehampton	11 19 10	19 5 5	1	3	11 19 10	6 8 5½
	South Molton	15 3 4	67 1 2½	1	15	15 13 4	4 9 5
	Great Torrington	12 4 8	42 6 6	1	14	12 4 8	3 0 5½
	Bideford	. .	32 9 9¼	..	9	. .	3 12 2¼
DORSET	Poole	. .	160 8 0	..	32	. .	5 0 3
ESSEX	Colchester	. .	1,411 7 6	..	200	. .	7 1 1½
	Brightlingsea	. .	13 0 0	..	10	. .	1 6 0
GLOUCESTERSHIRE	Tewkesbury	463 14 10	435 1 1	16	49	28 19 8	8 17 6¾
	Gloucester	1,010 3 7	422 8 5	93	97	10 17 2¾	4 7 1
HANTS	Winchester	. .	24 16 10	..	13	. .	1 18 2½
	Andover	80 19 4	18 5 6	7	18	11 11 4	1 0 3½
	Portsmouth	583 15 2	134 19 9	12	54	48 12 11	2 9 11¾
	Southampton	253 18 8	340 7 5	9	121	28 4 3½	2 16 3
HEREFORDSHIRE	Hereford	633 11 0	269 11 2	35	75	18 2 0½	3 11 10½
HUNTINGDONSHIRE	Huntingdon	89 14 3	42 4 4	12	13	7 9 6¼	3 4 11¼
KENT	Faversham	. .	47 4 6	..	7	. .	6 14 11
	Romney Marsh	. .	36 10 7	..	6	. .	6 1 9
	New Romney	. .	10 14 0	..	1	. .	10 14 0
	Folkstone	. .	32 5 6	..	5	. .	6 9 1
	Rochester	. .	212 18 4	..	39	. .	5 9 2¼
	Tenterden	200 16 2	59 18 10	8	13	25 2 0¼	4 12 2¾
	Hythe	. .	87 9 0	..	17	. .	5 2 10½
	Deal	. .	113 8 7½	..	23	. .	4 18 7½
	Sandwich	. .	445 11 3	..	60	. .	7 8 6¾
	Canterbury	. .	363 9 2	..	58	. .	6 5 3¾
	Queenborough	33 13 4	. .	1	..	33 13 4	. .
LINCOLNSHIRE	Lincoln	370 1 4	748 7 5	25	91	14 16 0½	8 4 5½
	Boston	163 18 10	284 17 1	7	71	23 8 4¾	4 0 2¾
	Great Grimsby	. .	81 18 8	..	10	. .	1 17 10¼
	Stamford	456 17 11	255 7 3	18	75	25 7 7¾	3 8 1
NORTHUMBERLAND	Newcastle	1,811 10 6	550 10 0	87	102	20 16 5	5 7 11½
NORFOLK	Thetford	24 2 0	54 16 2	1	5	24 2 0	10 19 2¾
	King's Lynn	. .	1,031 17 0	..	73	. .	14 2 8¼
	Norwich	1,432 4 11	939 6 2	71	272	20 3 5¼	3 9 0¾
	Great Yarmouth	. .	54 8 0	..	50	. .	1 1 9
NORTHAMPTONSHIRE	Northampton	416 17 5	403 15 2	22	70	18 18 11⅓	5 15 4¼
	Peterborough	140 10 0	511 4 2	6	79	23 8 4	6 9 5
	Daventry	128 17 4	5 6 0	10	1	12 17 8¾	5 6 0
SALOP	Wenlock	149 13 6	249 10 2	8	37	18 14 2¼	6 14 10¼
	Oswestry	73 15 2	144 2 9	3	28	24 11 8½	5 2 11½
	Albrighton	8 18 4	42 17 10	1	4	8 18 4	10 14 5½
SUFFOLK	Bury	144 3 4	579 3 7	15	88	9 12 2⅖	6 11 7⅗
	Ipswich	174 7 6	512 8 10	4	136	43 11 10½	3 15 4¼
	Eye	66 3 6	68 2 11	1	9	66 3 6	7 11 5
SUSSEX	Pevensey	17 13 0	12 10 0	2	2	8 16 6	6 5 0
	Rye	. .	7 2 0	..	1	. .	7 2 0
	Hastings	330 15 7	166 1 0	10	52	33 1 6½	3 3 10¼
	Winchelsea	. .	37 11 0	..	3	. .	12 10 4
WARWICKSHIRE	Coventry	1,367 10 6	558 9 8	99	67	13 16 3	8 6 8½
WESTMORLAND	Kendal	170 14 0	285 19 11	7	31	24 7 8½	9 4 6
WORCESTERSHIRE	Worcester	454 10 5	661 14 5	49	113	9 5 6	5 17 1¼
YORKSHIRE	Ainsty and City of York	389 15 5	1,374 0 6	14	237	27 16 9¾	5 15 11¼
	Beverley	65 7 10	214 12 7	2	48	32 13 11	4 9 5
	Hull	428 0 6	1,399 8 2	8	368	53 10 0¾	3 16 0½
ANGLESEA	Beaumaris	. .	64 9 8	..	5	. .	12 17 11
BRECON	Brecknock and town of Llywel	195 14 8	73 19 7	11	11	17 15 10½	6 14 6
PEMBROKE	Tenby	. .	15 0 0	..	3	. .	5 0 0
Total	. .	13,952 2 2	19,021 14 5¼	767	3,572	18 3 9½	5 6 6

ASSOCIATIONS FOR THE PROSECUTION OF FELONS.

LE of Associations for the Prosecution of Felons in the several Counties of England and Wales; comprising the Number of secutions, both at Assizes and at Sessions, which, during Five Years, brought a Charge upon such Associations; the Amount such Charge; and the Amount of Expenses incurred in respect of the same Prosecutions, and defrayed out of the County te.

County.	Name of Association.	Year.	Assizes.			Sessions.			Treasurer or Solicitor to the Association.
			No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	
				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
OFORDSHIRE	Woburn	1834	. .	. .	. .	2	11 16 0	10 7 0	R. A. Reddall, treasurer.
	Bedford	1830	. .	. .	. .	2	9 9 10	7 8 10	
		1831	1	163 15 9	143 16 2	5	36 4 11	21 8 10	
		1832	1	20 14 5	12 15 0				
		1833	. .	. .	. .	2	18 18 0	12 15 10	
		1834	4	68 14 3	36 7 10	1	6 9 6	3 2 10	
	Silcoe and Ampthill	1830	4	19 1 4	43 4 0	5	23 14 6	35 9 10	John Eagles, solicitor.
		1831	2	7 0 2	17 16 0	8	28 5 11	48 4 6	
		1832	. .	. .	. .	1	8 16 7	3 19 4	
		1833	3	20 18 10	32 6 6	3	35 4 3	26 10 6	
		1834	1	15 10 2	13 6 6	2	9 9 6	16 17 4	
RKS	Sutton-Courtney	1830	. .	. .	. .	1	6 14 10	6 14 0	William Graham, solicitor.
		1832	1	41 12 0	100 7 0	1	9 0 10	19 18 4	
	Wokingham	1834	. .	. .	. .	1	6 11 1	7 7 2	Messrs. S. L. & W. Roberts, solicitors.
	Thatcham	1830	. .	. .	. .	1	9 15 4	3 19 6	John Barfield, solicitor.
		1833	. .	. .	. .	1	2 7 9	3 14 0	
	Kingston Bagpuze	1830	. .	. .	. .	1	13 5 2	13 3 6	James Haines, solicitor.
		1834	1	6 9 9	5 0 6	1	20 13 3	15 3 6	
	Faringdon	1830	1	8 16 1	16 3 4	1	5 5 8	5 0 0	R. W. Crowdy, solicitor.
		1833	. .	. .	. .	1	5 16 7	13 11 9	
CKS	Winslow	1832	1	10 15 4	18 12 5	. .	. .	. .	Charles Willis, solicitor.
		1833	1	2 4 9	13 4 6				
	Aylesbury	1830	1	5 4 8	10 7 6	. .	. .	. .	Joseph Rose, secretary.
		1831	1	3 4 4	9 1 0	3	10 12 4	17 5 4	
		1832	1	5 5 10	10 17 6				
		1833	. .	. .	. .	1	2 6 6	3 9 6	
		1834	1	15 6 8	12 16 2				
	Bucks	1830	1	5 10 6	9 18 8	4	25 6 10	42 8 6	Joseph Rose, secretary.
		1831	2	8 3 10	31 13 0				
		1832	. .	. .	. .	1	1 19 10	4 19 6	
		1833	2	10 18 10	18 15 0	1	5 11 10	13 15 6	
		1834	. .	. .	. .	1	7 15 2	20 4 10	
	Stony Stratford	1831	4	8 10 0	36 14 0	. .	. .	. .	J. F. Congreve, solicitor.
		1832	. .	. .	. .	2	19 18 8	10 18 0	
		1833	. .	. .	. .	1	1 12 8	3 10 6	
		1834	1	16 8 3	35 5 4				
MBRIDGE-HIRE.	Wisbech	1831	1	21 19 5	41 18 11	1	8 13 2	22 14 11	Henry Leach, treasurer.
		1833	2	16 6 7	37 10 2				
		1834	. .	. .	. .	3	14 10 0	51 1 0	
	Thorney	1830	1	43 14 0	35 14 10	. .	. .	. .	Hart Buck, treasurer.
		1832	. .	. .	. .	1	33 13 1	15 0 0	
	Ely	1834	1	17 15 6	15 6 2	1	27 1 6	5 3 0	Henry Pigott, solicitor.
	Whittlesey	1833	1	35 5 6	31 11 2	1	21 12 0	17 16 8	John Boyce, treasurer.
		1834	. .	. .	. .	1	26 19 11	22 12 2	
	Whittlesey Tradesmen's Association.	1830	. .	. .	. .	2	48 19 6	44 0 6	William Read, treasurer.
		1831	. .	. .	. .	1	19 13 4	16 8 2	
		1832	. .	. .	. .	1	53 9 5	51 16 10	
		1833	1	29 17 10	25 16 10				
MBERLAND	Wigton	1830	. .	. .	. .	3	29 4 8	29 4 8	Joseph Studholme, solicitor.
		1831	1	21 0 2	21 0 2				
		1832	. .	. .	. .	4	42 16 0	39 6 8	
		1833	3	47 7 0	43 11 10				
		1834	1	10 18 2	10 18 2				
RBYSHIRE	Eyam (near Bakewell)	1832	1	32 5 11	46 17 9	. .	. .	. .	P. Wright, Esq.

TABLE of ASSOCIATIONS for the PROSECUTION of FELONS in the several Counties of England and Wales—*continued*.

County.	Name of Association.	Year.	Assizes.			Sessions.			Treasurer or Solicitor to the Association.
			No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	
				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
DERBYSHIRE. (*continued.*)	Ashborne	1830	. .	. .	. .	1	5 1 3	10 15 6	Messrs. Johnson and Wise, solicitors.
		1831	. .	. .	. .	1	2 2 0	7 11 0	
		1832	. .	. .	. .	1	7 0 2	6 5 4	
		1833	2	3 14 8	45 0 5				
	Derby (Borough)	1830	. .	. .	. .	11	13 5 0	56 9 4	Messrs. Mousley and Barker, solicitors.
		1831	2	9 11 10	27 15 2	7	13 8 11	34 1 4	
		1832	. .	. .	. .	7	4 13 8	34 2 8	
		1833	. .	. .	. .	4	14 12 8	18 14 0	
		1834	. .	. .	. .	6	5 19 10	30 0 2	
	Panwich	1830	. .	. .	. .	1	6 14 0	13 8 6	Thos. Keeley, treasurer.
	Mappleton	1833	1	1 7 2	14 19 6	. .	. .	. .	Francis Goodwin.
	Bakewell	1833	. .	. .	. .	1	11 15 4	22 0 4	John Barker, solicitor.
	Chesterfield	1831	1	8 2 5	12 2 0	. .	. .	. .	Wm. Waller, solicitor.
		1833	. .	. .	. .	2	12 14 9	17 13 0	
	St. Peter in Derby and township of Litchurch.	1832	. .	. .	. .	2	5 4 0	4 4 0	Messrs. Whiston and Son, solicitors.
		1834	. .	. .	. .	2	1 4 0	4 4 0	
	Alfreton and South Wingfield.	1830	1	2 5 4	8 4 0	1	1 4 10	7 8 0	Joseph Wilson, solicitor.
		1831	. .	. .	. .	1	3 5 6	13 6 8	
	Matlock	1830	. .	. .	. .	1	4 14 8	12 8 0	Jas. E. Newbold, solicitor.
		1833	1	5 17 6	16 15 0				
DORSET	Sherborne	1830	1	23 16 3	19 14 6	1	5 15 6	2 4 0	Messrs. Fooks and Goodden, solicitors.
		1831	1	61 13 3	31 19 4	2	14 10 9	6 3 6	
		1832	. .	. .	. .	1	24 0 8	9 15 10	
DURHAM	Stockton-on-Tees	1830	1	16 10 0	11 7 4	. .	. .	. .	Messrs. Wilson and Faber, solicitors.
		1833	1	24 15 8	14 16 0				
	Lamesley	1830	. .	. .	. .	2	22 18 10	13 4 0	Wm. Barker, treasurer.
	Whickham	1830	. .	. .	. .	1	23 1 8	4 10 8	M. Taylor, sec. and treas.
	Bishop Auckland	1833	2	79 10 8	46 9 8	. .	. .	. .	Wm. Barrett, treasurer.
	West Auckland	1833	. .	. .	. .	1	23 12 2	18 0 8	Wm. Trotter, solicitor.
		1834	1	13 19 4	10 13 0				
	Rushyford	1834	1	51 12 1	30 4 6				
	Wolsingham	1831	. .	. .	. .	1	21 18 0	12 16 2	Christopher Rymer, solicitor.
	Bedlington	1830	. .	. .	. .	1	32 13 6	25 15 6	Ralph Oliver, solicitor.
	Bishop Wearmouth	1830	2	18 9 4	23 7 0	. .	. .	. .	John Pexall Kidson, solicitor.
		1834	. .	. .	. .	2	22 11 8	21 8 4	
	Sunderland	1832	. .	. .	. .	4	16 10 11	47 1 0	Robert Wilson, solicitor.
		1833	. .	. .	. .	2	12 7 6	17 6 0	
	Monk Wearmouth	1831	. .	. .	. .	1	26 7 3	13 14 0	William Allison.
		1833	. .	. .	. .	1	40 10 2	18 7 6	
ESSEX	Chelmsford	1832	. .	. .	. .	1	10 8 6	6 19 6	
		1833	1	15 0 0	7 16 0	1	7 6 5	3 7 6	
	Tollesbury	1834	1	6 8 6	9 2 3				
	Tillingham	1832	. .	. .	. .	1	8 2 6	8 2 3	
		1833	. .	. .	. .	1	6 9 4	10 9 6	
		1834	. .	. .	. .	1	3 12 2	7 3 10	
	Stock	1830	3	36 4 0	77 4 6	2	19 9 8	36 1 0	
	Upminster	1830	. .	. .	. .	1	12 5 2	3 12 6	
		1832	. .	. .	. .	1	17 4 5	4 5 9	
	Bocking	1832	. .	. .	. .	1	9 10 2	4 5 6	John Holmes, solicitor.
		1833	. .	. .	. .	1	9 7 0	4 5 6	
		1834	. .	. .	. .	1	11 3 8	4 5 6	
	Stansted	1830	. .	. .	. .	1	2 9 6	6 8 6	Wm. Gee, solicitor.
		1834	. .	. .	. .	1	23 2 10	12 17 9	

TABLE of ASSOCIATIONS for the PROSECUTION of FELONS in the several Counties of England and Wales—*continued*.

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				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
EX . . . (*continued.*)	Halsted	1830	. .	. .	. .	2	19 4 1	6 19 6	O. Hustler, solicitor.
		1831	. .	. .	. .	3	31 4 4	13 1 0	
		1832	. .	. .	. .	1	17 18 2	5 13 6	
		1833	. .	. .	. .	1	7 18 8	1 17 0	
		1834	. .	. .	. .	2	29 4 8	2 1 0	
UCKSTER-HIRE.	Cheltenham . . .	1830	1	20 19 8	18 19 4	1	9 7 2	3 19 0	Messrs. Griffiths and Pruen, solicitors.
		1831	2	63 3 4	51 2 6	2	15 1 10	12 10 10	
		1832	1	82 7 0	55 15 10	2	12 13 10	5 18 6	
		1833	2	31 13 2	23 15 0	4	42 18 8	26 14 2	
		1834	. .	. .	. .	1	7 13 2	2 5 6	
	Iron Acton . . .	1831	2	110 18 11	75 8 6	. .	. .	. .	Henry Ray, solicitor.
		1832	2	57 18 7	31 16 2	1	40 9 4	13 8 6	
		1833	. .	. .	. .	1	15 4 6	11 0 0	
		1834	. .	. .	. .	1	6 19 7	4 16 2	
	Stroud	1832	. .	. .	. .	3	2 10 0	37 15 2	Wm. Thos. Pavis, secretary.
		1834	1	20 0 0	115 11 0				
	Dursley	1830	. .	. .	. .	5	86 14 9	43 10 8	Messrs. Vizard and Co., solicitors.
		1831	. .	. .	. .	1	12 9 0	12 9 0	
		1832	. .	. .	. .	3	159 6 11	110 10 8	
		1834	1	25 4 6	15 16 0	1	50 17 7	39 5 10	
NTS . . .	Odiham	1832	1	12 5 4	5 12 6	2	12 18 8	9 11 6	John Cole, secretary.
		1833	. .	. .	. .	1	5 3 10	4 11 6	
		1834	1	6 9 8	4 0 0	. .	. .	. .	
	Ringwood	1831	. .	. .	. .	1	19 16 0	6 4 0	Robt. Davy, treasurer.
		1832	. .	. .	. .	1	20 11 0	10 11 6	
		1834	1	26 2 8	17 10 8				
	Christchurch . .	1832	2	27 1 6	80 14 0	1	9 6 2	6 15 6	Wm. Baldwin, solicitor.
		1833	. .	. .	. .	2	16 7 9	11 19 11	
		1834	. .	. .	. .	2	15 4 4	7 12 6	
	Ringwood . . .	1831	1	13 6 2	11 3 6	. .	. .	. .	Wm. Baldwin, solicitor.
		1832	. .	. .	. .	1	9 4 2	5 3 0	
		1834	1	7 18 8	25 5 0				
	Alton	1830	2	25 8 8	52 1 0	2	28 12 4	17 11 0	W. and J. W. Clement, solicitors and treasurers.
		1831	. .	. .	. .	2	22 6 8	9 13 6	
		1832	. .	. .	. .	1	7 0 3	4 10 6	
		1833	. .	. .	. .	3	14 9 4	14 4 6	
		1834	. .	. .	. .	2	13 8 2	16 6 0	
	Tradesmen's Association at Alton.	1833	. .	. .	. .	1	14 8 2	11 14 6	
		1834	1	2 18 8	9 13 0				
	Holybourn, near Alton	1831	. .	. .	. .	1	10 14 4	7 18 0	Thos. Baker, solicitor.
		1832	1	30 9 6	28 10 0	1	10 16 0	6 19 0	
REFORD .	Wormelow Hundred	1831	1	5 0 0	13 8 7	. .	. .	. .	J. E. Gough, solicitor.
		1834	. .	. .	. .	1	10 0 0	11 9 8	
NTINGDON-HIRE.	Hundred of Norman Cross and Liberty of Peterborough.	1831	2	30 7 6	59 1 6	1	7 2 6	10 6 0	Messrs. Morley and Lawrence, solicitors.
		1832	. .	. .	. .	1	13 2 6	23 15 0	
		1833	2	11 19 8	27 13 2	1	4 5 11	3 5 0	
		1834	. .	. .	. .	1	28 12 0	41 2 6	
	Huntingdon . . .	1830	1	5 5 0	13 18 0	3	1 13 4	7 6 2	Wm. Margetts and Sons, solicitors.
		1833	. .	. .	. .	4	5 15 2	36 11 4	
	St. Neot's . . .	1830	1	4 18 6	16 4 2	. .	. .	. .	John Beedham, solicitor.
NT . . .	Ramsgate . . .	1831	. .	. .	. .	1	6 7 4	1 15 0	Humphrey Whitewick, sol.
	Isle of Thanet . .	1831	. .	. .	. .	1	11 4 0	2 2 0	Martin L. Daniel.
		1832	. .	. .	. .	1	11 7 2	2 2 0	
		1834	. .	. .	. .	1	13 5 2	2 2 0	
	Dartford	1830	1	7 18 2	9 5 0	3	37 12 2	31 11 11	Thos. B. Fooks.
		1831	1	12 19 6	12 9 0	2	31 11 2	18 13 10	
		1833	4	28 17 8	40 3 6	1	11 19 0	8 4 0	
		1834	4	30 10 4	54 17 0	2	23 18 0	25 17 10	
	Sevenoaks . . .	1830	. .	. .	. .	1	13 15 8	3 17 6	Thos. Parker, secretary.
		1831	. .	. .	. .	2	57 8 9	17 14 10	
		1832	. .	. .	. .	1	14 19 0	1 17 4	

TABLE of ASSOCIATIONS for the PROSECUTION of FELONS in the several Counties of England and Wales—*continued*.

County.	Name of Association.	Year.	Assizes. No. of Prosecutions charged upon the Funds of the Association.	Assizes. Expenditure out of the Funds of the Association in respect of such Prosecutions.	Assizes. Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	Sessions. No. of Prosecutions charged upon the Funds of the Association.	Sessions. Expenditure out of the Funds of the Association in respect of such Prosecutions.	Sessions. Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	Treasurer or Solicitor to the Association.
				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
KENT . . . *(continued.)*	Sevenoaks . . .	1830	. .	. .	. .	1	19 4 3	6 7 0	Thos. Austen, treasurer.
		1832	. .	. .	. .	1	16 2 11	4 6 6	
		1833	1	15 6 4	4 1 10				
	Sevenoaks Association for the protection of Property against Incendiaries . .	1833	5	150 14 9	55 12 6	. .	. .	. .	Thos. Austen, treasurer.
	Hawkhurst . . .	1830	4	29 5 10	41 11 4	. .	. .	. .	W. P. Brechan.
		1832	1	2 1 10	9 8 7				
		1834	2	15 12 10	10 2 3				
	Canterbury . . .	1833	. .	. .	. .	1	3 12 5	6 15 0	Stephen Plummer, solicitor.
		1834	. .	. .	. .	1	6 16 7	5 7 11	
LEICESTERSHIRE.	Melton Mowbray New Association.	1830	4	2 2 0	61 0 6	1	4 3 0	19 19 0	Jas. T. Bishop, solicitor and treasurer.
		1832	. .	. .	. .	1	3 10 3	14 1 6	
		1833	1	1 6 0	11 16 6				
		1834	. .	. .	. .	1	6 10 6	7 16 0	
	Melton Mowbray Old Association.	1830	2	5 3 0	20 3 6	. .	. .	. .	W. Latham, clerk to the association.
		1831	2	15 17 0	184 2 0	1	2 2 0	7 3 6	
		1832	1	2 2 0	7 10 0				
		1834	. .	. .	. .	3	12 4 9	31 6 10	
	Medbourn . . .	1831	1	4 19 10	12 12 0	. .	. .	. .	Henry Shuttleworth, solicitor.
		1832	. .	. .	. .	1	1 19 0	2 19 2	
		1833	. .	. .	. .	1	5 17 6	8 17 8	
	Market Harborough	1833	. .	. .	. .	1	2 13 0	8 17 6	Henry Shuttleworth, sol.
	Gumbley and Kibworth	1832	. .	. .	. .	1	4 13 6	12 17 0	William Wartnaby, solicitor and treasurer.
	Ullesthorpe . . .	1832	. .	. .	. .	2	9 2 0	19 11 0	William Simons, treasurer.
		1834	. .	. .	. .	1	3 0 6	3 14 0	
LINCOLNSHIRE	South Cliff . . .	1830	. .	. .	. .	1	6 15 4	6 7 0	Richard Masson, solicitor.
		1833	. .	. .	. .	2	20 18 0	13 4 0	
	Lincoln City, Bail, and Close.	1832	. .	. .	. .	1	2 18 11	7 12 0	Henry Williams, treasurer.
		1834	. .	. .	. .	4	18 14 0	30 19 3	
	Bourn	1831	1	6 1 2	16 10 0	1	0 17 8	5 19 3	William Worth, solicitor.
		1833	. .	. .	. .	2	0 17 11	10 3 6	
	Bradley, Haverstoe, &c.	1830	. .	. .	. .	1	43 13 8	12 17 6	Joseph Daubney.
		1832	. .	. .	. .	3	69 13 0	24 18 8	
		1833	. .	. .	. .	2	58 16 9	12 14 9	
	Market Rasen . .	1831	. .	. .	. .	. .	. .	44 11 3	George Saffery.
		1832	. .	. .	. .	4	14 1 6	25 7 10	
		1833	. .	. .	. .	3	13 17 8	11 14 10	
		1834	. .	. .	. .	1	3 10 6	17 1 8	
	Spilsby Old Association.	1830	. .	. .	. .	2	2 8 8	10 3 2	Walker and Sons, solicitors.
		1831	. .	. .	. .	1	2 0 10	8 17 0	
		1834	. .	. .	. .	1	3 3 10	5 10 0	
	Horncastle . . .	1830	1	4 18 0	12 16 6	6	23 2 2	41 18 3	W. Parker, solicitor.
		1831	2	33 14 6	81 5 2	2	15 6 0	16 18 6	
		1832	. .	. .	. .	7	27 4 0	58 4 2	
		1833	1	14 10 4	14 14 6	1	7 12 9	9 4 2	
		1834	. .	. .	. .	3	13 1 0	39 14 6	
	Grantham and Kesteven	1834	. .	. .	. .	1	6 15 8	5 6 0	W. G. Wagstaffe, solicitor.
	Alford	1831	. .	. .	. .	1	1 3 0	4 2 4	Titus Bourne, solicitor.
		1833	1	14 0 4	7 7 0				
	Caistor	1831	. .	. .	. .	2	6 15 8	13 19 2	Marris and Smith, solicitors.
		1832	1	16 11 7	31 8 0				
		1833	. .	. .	. .	2	9 4 0	18 13 8	
		1834	. .	. .	. .	6	21 15 6	60 15 3	
	Horncastle . . .	1830	. .	. .	. .	1	3 3 0	15 9 6	Robert Clitherow, solicitor.
		1831	1	6 6 0	16 10 6				
		1832	. .	. .	. .	3	6 6 0	25 18 0	
		1833	. .	. .	. .	2	15 12 9	13 5 2	

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				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
LINCOLNSHIRE (*continued*).	Grantham	1830	. .	. .	. .	10	50 18 4	63 18 2	Thomas Manners, solicitor.
		1831	3	46 10 0	70 9 11	4	13 8 0	26 18 2	
		1832	1	14 10 0	20 13 2	4	12 9 4	22 17 0	
		1833	2	19 17 10	10 15 6	6	28 8 10	37 11 0	
		1834	1	9 15 4	24 10 3	8	37 4 4	51 7 8	
	Brigg	1832	. .	. .	. .	1	13 7 4	7 18 10	Patteson Holgate, solicitor.
		1833	. .	. .	. .	1	14 0 6	8 12 8	
	Holbeach	1830	. .	. .	. .	1	6 6 3	4 2 9	J. Johnson.
		1831	3	25 8 11	45 5 10	3	15 5 10	14 19 4	
		1832	. .	. .	. .	2	8 8 10	3 19 2	
		1834	1	54 0 0	128 14 0	6	29 8 2	59 11 8	
	Spalding	1830	. .	. .	. .	1	2 19 2	4 12 0	
		1831	. .	. .	. .	1	2 7 6	5 6 4	
		1832	. .	. .	. .	1	3 0 4	4 0 0	
		1833	. .	. .	. .	2	1 3 8	10 14 6	
		1834	. .	. .	. .	1	0 9 2	3 8 2	
	West Lincolnshire	1830	1	28 15 10	20 14 0	. .	. .	. .	John Gourley, treasurer.
		1831	. .	. .	. .	1	42 1 3	21 2 10	
		1833	1	32 8 2	23 13 6				
	Bourn	1832	1	22 1 0	20 0 0	10	11 6 0	40 11 9	Messrs. Hopkinson and French, solicitors.
NORFOLK	East Dereham	1830	. .	. .	. .	2	22 4 8	4 12 0	Samuel King.
		1831	1	14 8 0	7 13 0	1	11 16 8	3 7 0	
		1832	3	43 5 6	11 18 9	3	21 13 8	13 6 9	
		1833	2	12 5 0	6 9 0	1	16 12 8	6 6 4	
		1834	3	25 4 4	9 12 6	1	10 0 6	5 14 0	
	Loddon and Clavering	1834	. .	. .	. .	3	24 6 11	11 7 0	James Copeman, treasurer.
NORTHAMPTONSHIRE.	Weston Favell	1831	3	27 5 9	19 12 0	. .	. .	. .	George Cooke, solicitor.
		1832	. .	. .	. .	2	18 17 8	4 3 6	
		1833	. .	. .	. .	1	9 4 0	4 17 0	
	Oundle	1830	2	14 2 7	31 14 6	. .	. .	. .	Samuel Tibbetts, solicitor and treasurer.
		1831	. .	. .	. .	2	12 11 7	19 14 7	
		1833	1	12 17 4	18 5 10				
		1834	1	17 13 10	20 4 6	1	13 5 6	19 16 5	
	Harleston	1830	3	49 0 7	39 10 6	4	16 14 4	9 19 0	Somersby Edwards, solicitor and treasurer.
		1831	. .	. .	. .	3	18 18 6	2 3 4	
		1832	2	12 15 10	26 2 2	1	9 7 0	2 4 6	
		1833	1	5 5 8	18 7 0				
		1834	. .	. .	. .	1	13 7 3	7 8 9	
	Wymersley	1830	. .	. .	. .	1	3 8 5	15 2 6	Charles Markham, solicitor and treasurer.
		1833	. .	. .	. .	1	2 2 7	2 16 6	
		1834	3	20 7 0	39 0 0				
NORTHUMBERLAND.	Alnwick	1830	. .	. .	. .	1	1 11 2	8 7 6	William Milne, treasurer.
		1834	. .	. .	. .	1	4 8 0	4 13 6	
	Corbridge	1833	1	1 10 5	17 8 1	. .	. .	. .	J. Gibson.
		1834	. .	. .	. .	1	13 5 6	4 1 4	
	Longbenton	1834	. .	. .	. .	1	18 8 8	12 12 8	W. R. Swan, solicitor.
	Gosforth	1831	. .	. .	. .	1	11 6 6	8 3 6	George Mason, treasurer.
	Newburn	1830	. .	. .	. .	1	3 3 8	2 5 0	
	Whittingham Vale	1834	. .	. .	. .	1	10 3 6	8 19 0	William Smith, treasurer.
	Lesbury and Long Houghton	1831	. .	. .	. .	1	5 2 3	7 19 0	Samuel Gardner, treasurer.
	Shieldfield and Barras Bridge.	1830	. .	. .	. .	1	9 19 8	6 17 4	G. A. Lambert, solicitor.
		1831	2	26 14 2	59 1 6	1	8 16 4	7 2 8	
		1834	2	12 13 8	34 8 10	1	12 19 0	9 4 4	
	North Shields and Tynemouth.	1830	. .	. .	. .	1	15 14 10	5 7 4	Messrs. Barkers and Fenwick, solicitors.
		1831	. .	. .	. .	3	51 6 0	25 0 10	
		1833	. .	. .	. .	1	16 18 4	6 0 0	
		1834	. .	. .	. .	2	38 12 4	8 10 0	
	Newcastle	1831	. .	. .	. .	2	3 4 9	10 4 7	Richard Kirk, treasurer.
		1833	. .	. .	. .	2	8 14 7	17 4 6	
		1834	1	6 8 9	28 12 7	2	3 3 7	11 15 8	

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				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
NORTHUMBERLAND (*continued*)	Woodham, near Morpeth.	1832	1	24 6 6	24 6 6	. .	. .	. .	Thomas Bell.
	Ouseburn, Newcastle-upon-Tyne.	1831	1	11 10 8	45 14 9	. .	. .	. .	J. Chater, solicitor.
	North Shields . .	1830	. .	. .	. .	1	8 7 2	1 10 0	William Webster, solicit
		1833	. .	. .	. .	1	8 11 4	2 13 6	
		1834	2	9 8 0	35 1 0	1	6 17 4	8 11 6	
	Seghill and Camlington.	1831	2	11 1 10	1 2 6	. .	. .	. .	John Care, secretary.
		1832	. .	. .	. .	1	15 9 11	9 5 7	
NOTTS . . .	Newark	1833	1	4 2 6	37 13 0	. .	. .	. .	Robert Caparn, clerk.
		1834	. .	. .	. .	1	3 2 2	5 18 0	
	Worksop	1830	. .	. .	. .	1	3 1 8	14 9 7	Henry Owen, solicitor.
		1831	. .	. .	. .	2	5 0 1	26 17 1	
		1832	. .	. .	. .	2	9 11 6	25 4 6	
	Newark	1830	1	2 12 6	12 5 9	10	18 6 8	49 13 10	Messrs. Tallents and Bu naby, solicitors.
		1831	1	10 0 4	14 19 6	8	14 13 4	41 16 10	
		1832	1	14 18 2	48 17 5	4	7 6 8	16 19 6	
		1833	. .	. .	. .	14	18 13 4	63 2 2	
		1834	. .	. .	. .	5	9 18 2	24 5 5	
	Mansfield . . .	1831	1	6 12 4	38 11 3	1	1 19 0	5 17 0	Messrs. Parsons and Be
		1833	1	18 3 4	8 14 8	2	3 12 0	16 0 0	
	Bulwell	1832	. .	. .	. .	1	2 19 0	7 12 6	Messrs. Rigley and Johnson, solicitors.
RUTLAND . .	Oakham	1831	. .	. .	. .	1	2 5 3	6 15 6	H. Hough, clerk to th association.
		1832	. .	. .	. .	1	3 0 0	9 0 0	
		1833	1	3 4 8	8 6 10	2	2 5 7	10 15 0	
		1834	. .	. .	. .	1	4 13 5	9 12 10	
SALOP . . .	Hales Owen . . .	1830	3	24 4 2	140 5 8	1	6 15 5	11 13 10	Messrs. Hayes and Son.
		1834	. .	. .	. .	1	14 5 10	14 17 9	
	Wistanston . . .	1831	1	6 10 5	24 11 2	. .	. .	. .	Joseph Speakes, treasure
SOMERSET . .	Clutton	1831	. .	. .	. .	2	11 12 0	7 16 4	J. Rees Mogg.
		1832	2	1 10 6	18 12 8				
	Langford, near Bristol	1830	. .	. .	. .	1	15 3 10	0 12 0	John W. Bradford.
		1832	. .	. .	. .	1	5 7 0	0 12 0	
		1834	. .	. .	. .	2	18 9 1	1 5 0	
	Batcombe . . .	1833	1	24 17 2	26 9 10	. .	. .	. .	Thomas Whatley, secretary.
	Wrington . . .	1830	. .	. .	. .	2	14 10 0	8 3 0	John James, solicitor.
		1831	1	11 16 6	9 9 6				
	Mells and Leigh upon Mendip.	1832	1	11 18 10	11 9 4	. .	. .	. .	Charles Bayly, solicitor.
		1833	2	23 6 4	8 6 0				
		1834	. .	. .	. .	1	14 4 8	4 10 0	
	Cleve, near Bourton.	1834	1	17 18 2	6 2 2	. .	. .	. .	Joseph Fisher, solicitor.
	Pilton	1833	1	35 18 3	13 13 6	. .	. .	. .	Robert Townshend, treasurer.
	Farmborough . .	1834	1	3 0 0	1 15 0	1	2 11 6	3 7 9	
STAFFORDSHIRE.	Wednesbury . . .	1830	1	7 4 2	22 14 4	. .	. .	. .	Messrs. Hunt and Tarleton, solicitors.
		1832	. .	. .	. .	2	16 8 4	2 8 0	
		1833	. .	. .	. .	1	8 9 0	2 18 6	
		1834	1	30 16 10	9 13 0	1	13 7 0	12 10 10	
	Stone	1831	. .	. .	. .	3	43 18 0	13 5 6	Edward Barlow, solicitor
		1832	. .	. .	. .	1	15 11 7	5 8 10	
		1833	2	44 12 10	28 7 2	1	14 5 4	3 15 8	
	Cheadle	1831	3	3 9 8	31 2 6	. .	. .	. .	Brandon and Cattlow clerks and treasurers.
	Cheekley	1830	. .	. .	. .	1	11 8 7	14 2 2	Joseph Wood, treasurer.
	Leigh	1831	1	24 18 3	26 8 4	1	13 16 10	4 6 11	
		1832	. .	. .	. .	1	17 0 3	10 0 7	
		1833	1	3 3 8	16 6 10				

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				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
FFORD-IIRE. *ontinued.)*	Betley	1832	. .	. .	. .	1	6 19 10	4 5 0	
		1833	. .	. .	. .	1	3 17 10	6 5 10	
	Leek	1830	1	36 4 0	27 2 2	1	17 1 2	8 18 6	John Cruso, jun., solicitor.
		1832	1	50 16 11	42 0 0	2	27 5 6	15 12 10	
		1833	. .	. .	. .	1	10 12 1	5 16 7	
		1834	. .	. .	. .	3	24 3 10	14 7 6	
	Stoke-upon-Trent	1830	. .	. .	. .	1	4 16 6	2 18 0	William Outrim, treasurer.
	Hopwas	1830	. .	. .	. .	1	17 19 5	14 3 0	John Hanson.
		1833	. .	. .	. .	1	4 12 9	8 17 8	
		1834	1	4 7 10	11 13 8				
	Ellastone	1830	. .	. .	. .	1	9 1 6	6 11 0	R. Bagshaw, solicitor.
	Brenton	1830	3	13 8 1	25 11 6	. .	. .	. .	Walter Lander.
		1831	. .	. .	. .	3	22 3 8	23 8 0	
		1832	1	33 11 4	37 5 10				
		1833	3	7 13 7	45 19 0	1	5 18 6	6 12 0	
		1834	. .	. .	. .	1	6 11 4	4 15 0	
	Barlaston	1831	. .	. .	. .	2	13 8 3	6 12 4	George Benbow, treasurer.
		1832	3	54 13 8	49 13 6				
	Audley	1834	1	3 19 2	19 10 0	. .	. .	. .	John Booth, treasurer.
'FOLK	Melton	1830	. .	. .	. .	1	3 12 8	1 9 0	John Wood, jun., treasurer and solicitor.
		1832	. .	. .	. .	1	0 14 4	6 13 8	
		1833	. .	. .	. .	1	9 19 5	5 15 0	
	Great Bealings	1834	. .	. .	. .	1	2 12 2	1 7 6	John Wood, jun., treasurer and solicitor.
	Wickham Market	1830	. .	. .	. .	1	5 4 6	6 0 0	James Pringle Barclay, solicitor and treasurer.
		1831	. .	. .	. .	2	9 14 4	4 9 0	
		1832	1	3 2 0	20 13 10	1	0 8 0	4 17 4	
		1833	. .	. .	. .	1	4 1 0	2 3 0	
		1834	. .	. .	. .	2	12 1 6	4 5 2	
	Beccles	1830	. .	. .	. .	2	8 19 5	10 9 6	W. Tiptod, treasurer.
		1834	1	40 2 11	78 0 0				
SSEX	Burwash	1830	. .	. .	. .	1	4 14 6	2 10 0	Philcox and Baldock, solicitors.
		1831	1	11 3 4	21 3 0				
	Midhurst	1832	. .	. .	. .	1	13 7 8	2 9 2	Richard Wardroper, solicitor.
		1834	. .	. .	. .	1	2 3 4	3 4 6	
	Angmering	1830	. .	. .	. .	3	19 16 2	. .	George Grant, treasurer.
		1834	1	13 16 9	6 9 6	1	4 3 8	1 12 0	
	Horsham	1833	. .	. .	. .	2	8 14 2	3 9 6	Pilfold Medwin, solicitor.
	Brighton	1831	4	9 10 4	14 8 0	. .	. .	. .	William Penfold, solicitor.
	Heathfield and Warbleton.	1833	. .	. .	. .	1	6 10 8	2 18 6	
ARWICK-SHIRE.	Polesworth	1833	. .	. .	. .	1	11 4 5	24 5 1	Henry Power, solicitor.
	Atherstone	1830	2	8 15 1	25 16 10	. .	. .	. .	S. S. Baxter, solicitor.
		1832	. .	. .	. .	3	10 18 11	40 15 6	
		1834	2	7 9 1	37 4 4				
	Chilvers Coton	1833	1	3 14 8	9 9 8	1	4 6 4	4 19 10	J. W. Buchanan, solicitor.
	Brinklow	1833	. .	. .	. .	1	19 8 8	9 2 10	William Wise, solicitor.
	Birmingham	1830	2	70 13 10	50 2 4	2	24 14 4	18 19 8	Tyndall and Rawlins, solicitors.
		1831	1	26 0 8	19 16 10	2	23 19 0	19 7 8	
		1832	4	63 5 10	36 11 4	1	11 5 0	6 9 2	
		1833	1	14 1 8	7 4 4	1	14 8 8½	9 14 8	
		1834	. .	. .	. .	1	16 4 8½	8 6 0	
	Coleshill	1830	. .	. .	. .	3	8 0 0	15 12 0	
		1831	1	30 6 8	25 2 10	2	3 10 0	17 13 6	
		1833	. .	. .	. .	1	1 14 0	6 3 6	

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				£. s. d.	£. s. d.		£. s. d.	£. s. d.	
WARWICKSHIRE, (*continued.*)	Warwick	1830	2	54 12 8	40 6 10	. .	. .	. .	James Tibbets, solicitor.
		1831	. .	. .	. .	3	26 11 6	19 2 0	
		1832	. .	. .	. .	1	8 12 8	5 19 0	
		1833	1	20 19 10	10 17 2				
		1834	1	15 7 4	6 5 6	1	11 4 8	9 5 10	
	Stratford-on-Avon	1833	. .	. .	. .	3	14 10 10	24 2 0	Thomas Umbers.
	Henley-in-Arden	1830	1	15 14 2	9 12 4	2	8 19 0	7 14 10	W. W. Lea, solicitor.
		1831	. .	. .	. .	2	19 0 0	9 7 0	
		1832	. .	. .	. .	1	15 5 10	6 15 8	
		1833	. .	. .	. .	2	42 17 9	23 9 8	
	Coughton and Sambourn.	1832	. .	. .	. .	2	1 16 0	12 19 8	Charles Jones, solicitor.
	Alcester	1831	. .	. .	. .	1	1 6 8	8 17 8	Charles Jones, solicitor.
		1832	. .	. .	. .	2	1 10 0	11 9 2	
		1833	. .	. .	. .	1	0 16 0	7 10 0	
	Studley	1833	1	0 16 0	7 17 0	2	1 10 0	16 7 0	Charles Jones, solicitor.
		1834	. .	. .	. .	1	0 11 6	14 15 10	
	Alcester and adjoining parishes.	1830	. .	. .	. .	2	33 4 0	25 0 0	W. W. Prickett, solicitor.
		1831	. .	. .	. .	1	18 6 2	13 8 8	
		1832	. .	. .	. .	1	14 3 8	9 8 0	
		1833	. .	. .	. .	1	15 2 0	9 17 2	
WILTS	Lacock	1833	. .	. .	. .	1	7 4 10	5 2 6	West Awdry, solicitor.
		1834	. .	. .	. .	1	3 5 6	2 15 0	
	Box	1834	. .	. .	. .	1	13 19 3	11 6 0	Henry John Mant, solicitor.
	Ramsbury and Aldbourn.	1830	. .	. .	. .	1	7 10 9	3 14 6	William Rowland.
		1831	8	7 9 10	73 10 6				
		1833	3	57 4 6	64 11 0				
		1834	1	15 2 10	27 15 10	1	10 14 3	3 0 0	
WORCESTERSHIRE.	Eckington, near Pershore.	1834	1	9 6 4	49 19 6	. .	. .	. .	John Chandler, solicitor.
YORKSHIRE, EAST RIDING.	Bridlington	1830	. .	. .	. .	1	5 4 5	2 7 6	W. Smith, solicitor.
		1834	. .	. .	. .	1	2 17 11	11 10 9	
	Frodingham, Kilham, Brigham, and Londesborough.	1830	. .	. .	. .	1	13 15 0	9 15 6	Messrs. Scotchburn and Shepherd.
		1833	. .	. .	. .	4	17 5 0	21 14 6	
		1834	. .	. .	. .	1	2 0 0	4 14 9	
	South Cave	1832	. .	. .	. .	2	7 11 6	13 8 0	John Robinson, solicitor.
	Howden	1830	. .	. .	. .	1	7 14 2	4 13 0	William Dinsley, solicitor.
		1833	. .	. .	. .	2	44 6 11	7 3 8	
	Lockington, near Beverley.	1834	1	27 11 0	26 14 8	. .	. .	. .	Messrs. Combell and Williams, solicitors.
YORKSHIRE, NORTH RIDING.	Thirsk	1830	. .	. .	. .	2	4 17 9	24 9 4	William Whytehead.
		1831	1	10 9 11	51 6 4	3	0 2 0	32 6 4	
		1832	. .	. .	. .	4	1 17 0	38 0 6	
	Masham	1831	. .	. .	. .	1	9 4 0	12 14 4	John Prest, solicitor.
	Lyth	1830	. .	. .	. .	1	5 0 0	22 9 10	Robert Breckon, treasurer.
	Burley	1831	1	20 17 8	49 3 5	. .	. .	. .	George Sheppard, solicitor.
		1833	1	8 11 2	41 9 9				
	Thornton-in-Lonsdale	1830	. .	. .	. .	1	7 1 9	8 19 2	Rev. T. B. Pooley, treasurer.
		1831	. .	. .	. .	1	5 16 6	13 13 8	
		1832	. .	. .	. .	1	9 18 6	7 14 6	
YORKSHIRE, WEST RIDING.	Tickhill	1832	. .	. .	. .	4	20 0 0	8 2 8	William Broughton.
		1833	1	15 6 10	6 17 10	1	2 11 8	0 17 2	
		1834	. .	. .	. .	1	5 5 10	8 12 6	
	Halifax	1831	. .	. .	. .	2	14 2 8	12 4 10	Riley Kitson, solicitor.
		1832	. .	. .	. .	2	15 8 2	20 9 0	
		1833	. .	. .	. .	3	18 13 11	21 10 2	
		1834	. .	. .	. .	2	9 15 0	8 4 4	

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			No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.			Amount received out of the County Rate in respect of the Expenses of such Prosecutions.		No. of Prosecutions charged upon the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.			Amount received out of the County Rate in respect of the Expenses of such Prosecutions.		
				£.	s.	d.	£.	s.		£.	s.	d.	£.	s.	
KSHIRE. st Riding, ntinued.)	Barnsley	1830	. .	.	.		.	.	1	15	3	10	11	2	W. Shepherd, solicitor.
		1831	. .	.	.		.	.	1	6	2	2	6	2	
		1832	1	80	1	2	71	17	1	5	2	2	5	2	
		1833	. .	.	.		.	.	2	18	3	4	18	3	
		1834	. .	.	.		.	.	4	20	15	10	20	15	
	Royston	1830	. .	.	.		.	.	2	31	8	9	19	19	W. Shepherd, solicitor.
		1831	. .	.	.		.	.	4	49	10	10	34	17	
		1832	2	90	3	8	76	14	1	16	16	1	11	8	
		1833	. .	.	.		.	.	3	13	10	0	13	18	
		1834	. .	.	.		.	.	2	25	1	6	13	10	
	York City . . .	1830	. .	.	.		.	.	13	19	16	4	64	6	John Bayldon, solicitor.
		1831	1	2	6	6	13	11	8	7	0	8	26	3	
		1832	. .	.	.		.	.	13	15	19	2	62	9	
		1833	. .	.	.		.	.	4	3	5	8	16	18	
		1834	. .	.	.		.	.	11	11	12	4	55	13	
ECON . .	Talgarth and Pencelly.	1830	1	38	18	9	32	9	6	. .	.		.		Joseph Jones.
		1832	1	23	10	0	18	0	6						
NTSHIRE .	St. Asaph . . .	1830	1	9	9	1	34	5	10	. .	.		.		Richard Humphreys, solicitor and treasurer.
		1831	1	9	1	8	10	0	0						
		1832	1	2	5	6	31	9	2						
AMORGAN-SHIRE.	Swansea	1830	3	76	18	6	75	13	6	4	48	1	0	40	6	Edmund Evans, secretary.
		1831	1	36	12	4	36	12	4	14	150	0	10	148	6	
		1832	3	94	19	6	91	8	0	5	75	17	2	53	8	
		1833	5	209	13	1	152	8	9	6	83	18	0	79	9	
		1834	. .	.	.		.	.		6	58	17	10	41	5	
ERIONETH .	Corwen	1830	. .	.	.		.	.	1	6	6	6	8	0	John Clarke, solicitor.

SUMMARY of the foregoing Table of Associations for the Prosecution of Felons, &c.

Counties.	No. of Associations in each County (as returned to the Commissioners).	Assizes.			Sessions.			Total Assizes and Sessions.		
		No. of Prosecutions charged in 5 yrs. on the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	No. of Prosecutions charged in 5 yrs. on the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.	No. of Prosecutions charged in 5 yrs. on the Funds of the Association.	Expenditure out of the Funds of the Association in respect of such Prosecutions.	Amount received out of the County Rate in respect of the Expenses of such Prosecutions.
			£. s. d.	£. s. d.		£. s. d.	£. s. d.		£. s. d.	£. s. d.
Bedfordshire	3	16	315 14 11	299 12 0	31	188 9 0	186 4 10	47	504 3 11	485 16 10
Berks	5	3	56 17 10	121 10 10	9	79 10 6	88 11 9	12	136 8 4	210 2 7
Bucks	4	16	91 13 0	207 5 1	14	75 3 10	116 11 8	30	166 16 10	323 16 9
Cambridge	5	7	164 18 10	187 18 1	12	254 11 11	246 13 3	19	419 10 9	434 11 4
Cheshire	—	—	—	—	—	—	—	—	—	—
Cornwall	—	—	—	—	—	—	—	—	—	—
Cumberland	1	5	79 5 4	75 10 2	7	72 0 8	68 11 4	12	151 6 0	144 1 6
Derby	10	9	63 4 10	171 13 10	49	113 0 7	292 11 10	58	176 5 5	464 5 8
Devon	—	—	—	—	—	—	—	—	—	—
Dorset	1	2	85 9 6	51 13 10	4	44 6 11	18 3 4	6	129 16 5	69 17 2
Durham	11	8	204 17 1	136 17 6	16	242 11 8	192 3 10	24	447 8 9	329 1 4
Essex	8	5	57 12 6	94 2 9	23	246 1 3	141 16 7	28	303 13 9	235 19 4
Gloucester	4	12	412 5 2	388 4 4	26	462 6 4	324 4 0	38	874 11 6	712 8 4
Hants	7	11	152 0 10	234 9 8	24	230 7 2	151 6 5	35	382 8 0	385 16 1
Hereford	1	1	5 0 0	13 8 7	1	10 0 0	11 9 8	2	15 0 0	24 18 3
Herts	—	—	—	—	—	—	—	—	—	—
Huntingdon	3	6	52 10 8	116 16 10	11	60 11 5	122 6 0	17	113 2 1	239 2 10
Kent	8	23	293 7 3	237 11 0	20	279 4 5	141 14 8	43	572 11 8	379 5 8
Lancashire	—	—	—	—	—	—	—	—	—	—
Leicester	6	11	31 9 10	297 4 6	14	55 16 0	137 3 2	25	87 5 10	434 7 8
Lincoln	17	22	349 9 0	545 7 10	131	716 18 9	963 2 4	153	1,066 7 9	1,508 10 2
Middlesex	—	—	—	—	—	—	—	—	—	—
Monmouth	—	—	—	—	—	—	—	—	—	—
Norfolk	2	9	95 2 10	35 13 3	11	106 15 1	44 13 1	20	201 17 11	80 6 4
Northampton	4	16	159 8 7	212 16 6	17	117 16 10	88 6 1	33	277 5 5	301 2 7
Northumberland	14	12	103 14 0	245 15 9	28	276 4 5	185 9 4	40	379 18 5	431 5 1
Notts	5	6	56 9 2	161 1 7	51	98 3 7	297 16 5	57	154 12 9	458 18 0
Oxford	—	—	—	—	—	—	—	—	—	—
Rutland	1	1	3 4 8	8 6 10	5	12 4 3	36 3 4	6	15 8 11	44 10 2
Salop	2	4	30 14 7	164 16 10	2	21 1 3	26 11 7	6	51 15 10	191 8 5
Somerset	8	10	130 5 9	95 18 0	10	81 18 1	26 6 1	20	212 3 10	122 4 1
Stafford	13	23	319 0 0	393 7 10	32	328 17 1	198 0 3	55	647 17 1	591 8 1
Suffolk	4	2	43 4 11	98 13 10	13	57 7 4	47 9 2	15	100 12 3	146 3 0
Surrey	—	—	—	—	—	—	—	—	—	—
Sussex	6	6	34 10 5	42 0 6	10	59 10 2	16 3 8	16	94 0 7	58 4 2
Warwick	13	20	331 17 6	286 7 4	48	385 2 4	416 18 7	68	716 19 10	703 5 11
Westmorland	—	—	—	—	—	—	—	—	—	—
Wilts	3	12	79 17 2	165 17 4	5	42 14 7	25 18 0	17	122 11 9	191 15 4
Worcester	1	1	9 6 4	49 19 6	—	—	—	1	9 6 4	49 19 6
Yorkshire, East Riding	5	1	27 11 0	26 14 8	13	100 14 11	75 7 8	14	128 5 11	102 2 4
,, North Riding	5	3	39 18 9	141 19 6	14	43 17 6	160 7 8	17	83 16 3	302 7 2
,, West Riding	5	5	187 18 2	169 1 8	85	345 5 11	460 10 9	90	533 4 1	629 12 5
Anglesea	—	—	—	—	—	—	—	—	—	—
Brecon	1	2	62 8 9	50 10 0	—	—	—	2	62 8 9	50 10 0
Cardigan	—	—	—	—	—	—	—	—	—	—
Carmarthen	—	—	—	—	—	—	—	—	—	—
Carnarvon	—	—	—	—	—	—	—	—	—	—
Denbigh	—	—	—	—	—	—	—	—	—	—
Flint	1	3	20 16 3	75 15 0	—	—	—	3	20 16 3	75 15 0
Glamorgan	1	12	418 3 5	356 2 7	35	416 14 10	362 16 1	47	834 18 3	718 18 8
Merioneth	1	—	—	—	1	6 6 6	8 0 0	1	6 6 6	8 0 0
Montgomery	—	—	—	—	—	—	—	—	—	—
Pembroke	—	—	—	—	—	—	—	—	—	—
Radnor	—	—	—	—	—	—	—	—	—	—
Total	189	305	4,569 8 10	5,960 5 4	772	5,631 15 1	5,679 12 5	1,077	10,201 3 11	11,639 17 9

	Assizes.	Sessions.
	£. s. d.	£. s. d.
Average expense defrayed out of the Funds of the Associations upon each prosecution	14 19 7½	7 5 10¼
Average expense defrayed out of the County Rate thereon	19 10 10	7 7 1½
Average total expense of each prosecution	34 10 5½	14 13 0½

FORM OF MAGISTRATES' CERTIFICATES IN NORTHAMPTONSHIRE AND BUCKS.

County of Northampton, (to wit.)

The King on the prosecution of

against } For felony.

I, one of his Majesty's justices of the peace of and for the said county, have inquired into the costs and expenses incurred by the said prosecutor and the witnesses in this prosecution, and also for the compensation for their loss of time and trouble in attending before me as the examining magistrate; and I do hereby certify that I have ascertained the same to amount to the sum of

Given under my hand the day of 183 .

BUCKS.

The following rate of costs and expenses, and of compensation for trouble and loss of time, to be allowed by virtue of the statute 7th Geo. IV. cap. 64, sec. 22, for prosecutors and witnesses attending before examining magistrates, was established by his Majesty's justices of the peace, at Epiphany Session, 1828, and approved and signed by the Honourable Sir William Garrow, Knight, one of the justices of gaol delivery at Aylesbury, on the 28th day of February, 1828, pursuant to the 26th section of the same Act.

COSTS AND EXPENSES.

	£.	s.	d.
1. To constable for each whole day's service and expenses prior to the commitment of the prisoner, a sum not exceeding	0	5	0
2. To guard or assistant for ditto, a sum not exceeding	0	3	0
3. To constable for travelling in pursuit of the prisoner, (if the distance exceeds six miles,) at per mile, (going)	0	0	6
4. Conveyance of the prisoner to the magistrate after apprehension, (if the distance exceeds six miles,) at per mile	0	1	0
5. Subsistence of prisoner after apprehension and before commitment, at per day . .	0	1	6
6. Ditto, if for day and night, (lodging included)	0	2	6

	£.	s.	d.
7. Justices' clerks' fees, according to the table fixed and allowed by Act of Parliament.			

TROUBLE AND LOSS OF TIME.

	£.	s.	d.
8. To prosecutors and witnesses, (except as after mentioned,) at per day each, a sum not exceeding	0	3	0
9. And when the distance from the magistrate exceeds six miles, for every mile out and home the sum of	0	0	3
10. And in case such prosecutor or witness shall be of the medical or legal profession, and actually practising, then at the rate per day each a sum not exceeding	1	0	0

Certificate of Committing Magistrate.

Bucks, (to wit.)

The King on the prosecution of

against } For felony.

These are to certify that I, one of his Majesty's justices of the peace acting in and for the said county, being the examining magistrate, have ascertained that the amount below set forth is a reasonable and sufficient sum to reimburse the said for the expenses *bonâ fide* incurred in attending before me to give evidence against the said , and also a proper compensation to the said and Witness for trouble and loss of time therein, (such expenses and compensation not exceeding the rate in the scale or table above set forth,) viz.,

	£.	s.	d.
1. To the constable day			
2. To the guard or assistant day			
3. To the constable in pursuit of prisoner miles . .			
4. For conveyance of prisoner miles, from to			
5 & 6. Subsistence of prisoner			
7. Justice's clerk's fees, viz.,—Information and oath .			
Warrant . . .			
Examinations and oath .			
Commitment . .			
Recognizances . .			
Certificate . . .			
Allowance of expenses of conveyance to gaol .			
8 & 9. Prosecutor days			
Travelling expenses, miles			
10. To a witness, day . . .			
To a witness, day . . .			
Making altogether the sum of . . .	£		

Given under my hand this day of in the year of our Lord 18

*** Cases may occur in which the magistrates may not think it necessary or proper to make any allowance for many of these items, or to the full extent of the above scale.

N.B. The prosecutor or witness to take this certificate to the assizes or session.

SPECIMENS OF MAGISTRATES' CERTIFICATES ON THE NORTHERN CIRCUIT.

York Lent Assizes, March 1836, *West Riding.*

The King on the prosecution of David Ackroyd
against
Richard Appleyard, Blakey Nicholson, John Briggs, Thomas Briggs, John Chat, and William Wilkinson,
} For highway robbery.

1835, *August* 3.—Expenses incurred by William Brigg, Constable of Bradford, in the West Riding of the County of York, in attending with the Prisoners above named on a Charge of Highway Robbery, before Ellis Cunliffe Lister and Matthew Thompson, Esquires, when they were committed for trial:—

£.	s.	d.		£.	s.	d.
1	10	0	Searching for and apprehending the prisoners, at 5*s.* each	1	10	0
1	0	0	Paid four assistant constables 5*s.* each	1	0	0
			Attending with the prisoners before the magistrates, when the prisoners were remanded for further examination	0	7	6
			Attending again when the prisoners were committed	0	7	6
			Paid three assistant constables for their attendance 5*s.* each	0	15	0
0	10	6	Paid David Ackroyd for his attendance before the magistrates as a witness three days	0	10	6
			Paid Mr. Joseph Fawthorp, surgeon, for his attendance as a witness one day	1	1	0
				5	11	6
			Information against the prisoner	0	1	0
			Warrants thereon	0	6	0
			Examination of two witnesses	0	2	0
			Recognizance to prosecute	0	2	0
			Recognizance to give evidence	0	2	0
			Commitment of five prisoners	0	5	0
			Notices to two witnesses	0	1	0
			Subsistence of six prisoners, four days each	1	4	0
				7	14	6
£3	0	6		3	0	6
				£4	14	0

West Riding of Yorkshire.—I, one of his Majesty's justices of the peace in and for the said Riding do hereby certify that I have perused the charges above particularized, amounting to the sum of seven pounds fourteen shillings and sixpence, and that the same are fair and reasonable.

Given under my hand the twenty-first day of January, 1836.

E. C. Lister.

Yorkshire Summer Assizes, July 18*th*, 1835.

The King on the prosecution of William Gill, Joshua Piper, and the Hon. and Rev. A. H. Cathcart,
against
William Sugden, John Thomas, and Andrew Whaling,
} For burglary, housebreaking, and other felonies.

Account of expenses incurred by Thomas Graveley, constable of Hatton, and Thomas Fountain and Edward Read, police officers of Leeds, in searching after and apprehending the prisoners as above, and their time necessarily engaged therein:—

	£.	s.	d.
Paid expenses in searching after and apprehending the prisoner William Sugden, and conveying him to the magistrates	1	10	0
Thomas Graveley and Thomas Fountain, one day searching after and apprehending the prisoner	0	15	0
Expenses paid by Edward Read and Thomas Fountain in searching after and apprehending the prisoners John Thomas and Andrew Whaling, charged with the offences as above	1	7	6
Paid coach-hire, toll-bars, and other expenses to Kippax, Hatton, Newsame Green, Roundhay, Seacroft, and other places, in searching to apprehend the prisoners Thomas and Whaling	1	15	6
Edward Read and Thomas Fountain, engaged four days each in searching after and apprehending the above prisoners, Thomas and Whaling	3	0	0
	8	8	0
Oath and certificate	0	7	0
	£8	15	0

Thomas Fountain, of Leeds, in the county of York, police officer, maketh oath and saith that he, this deponent, and Thomas Graveley, constable of Hatton, and Thomas Fountain, police officer of Leeds, were necessarily engaged in searching for and apprehending the above-named prisoners the time above mentioned, and that he, this deponent, and Thomas Graveley and Thomas Fountain, paid and expended in and about such search and apprehension the sums above stated.

Thomas Fountain.

Sworn in court at the Castle of York, the 22nd day of July, 1835, before me, } Abinger.

Borough of Doncaster, in the County of York.

The King on the prosecution of George Skipsey *against* John Ross, } For felony.

An Account of the reasonable Expenses *bonâ fide* incurred by the Prosecutor and his Witnesses for the Prosecution, in attending before the examining Magistrate previous to the Prisoner's Commitment, and of such Compensation as they are respectively entitled to for their Trouble and Loss of Time therein, viz.:— 7 Geo. IV. cap. 64, sect. 22.

Fees to the Magistrate's Clerk.

£.	s.	d.		£.	s.	d.
			Informations and examinations, 1*s.* each	0	8	0
			Summons to witness, 1*s.* each	0	0	0
			Warrant to apprehend prisoner, 1*s.* each	0	1	0
			Recognisances to prosecute and give evidence, 2*s.* each	0	16	0
£.	s.	d.	Commitments, 1*s.* each	0	1	0
0	3	6	Certificate of costs	0	3	6
			To the prosecutor and the following witnesses as compensation for their trouble, loss of time, and expenses in attending to give evidence, viz.:—			
2	0	0	October.—Constable's coach-fare to London to fetch prisoner to Doncaster	2	0	0
3	0	0	Five days' travelling expenses	3	0	0
1	17	0	Five days occupied on the journey, at 7*s.* 6*d.*	1	17	0
			Conveying prisoner 180 miles	9	0	0
			October 17, 18, 19, and 20, the prosecutor 4 days, at 3*s.* 6*d.* per day, when attending before the mayor to obtain warrant, residing at Stockton-on-Tees, in the county of Durham	0	14	0
			October 25, 26, 27, and 28, the prosecutor 4 days more in travelling from Stockton-on-Tees to Doncaster, attending examination, and journey back again	0	14	0
			William Wirell, from York, 2 days	0	7	0
			Robert Crummack, from York, 2 days	0	7	0
			William Crummack, from York, 2 days	0	7	0
			Christopher Robinson, from York, 2 days	0	7	0
			Thomas Tymms, chief constable of Doncaster, attending with prisoner before magistrates when he was remanded	0	7	6
			For second attendance when prisoner was committed	0	7	6
			And to such of them as reside above four miles from the said borough three-pence per mile each way, towards the expense of conveyance, viz.:—			
			George Skipsey — To mileage from Stockton-on-Tees to Doncaster, 95 miles, first time	2	7	6
			George Skipsey — To mileage from Stockton, second time	2	7	6
			William Wirell, from York, 35 miles	0	17	6
			Robert Crummack, from York, ditto	0	17	6
			William Crummack, from ditto, ditto	0	17	6
			Christopher Robinson, from ditto	0	17	6
			I, one of His Majesty's justices of the peace in and for the said borough and county of the same, and the examining magistrate in the above prosecution, do hereby certify that I have ascertained the above expenses and compensation in this prosecution to amount to			
			the sum of £29. 2*s.* 6*d.* Given under my hand this 26th day of	29	2	6
6	17	0	November, 1836.	6	17	0
			Wm. Sheardown, *Mayor.*	£22	5	6

Form of the Order on the Sheriff for Expenses allowed at the Assizes.

At the general session of the delivery of the gaol of our Lord the King, of the holden at in and for the said on the day of in the year of the reign of our Sovereign Lord William the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, before

and others their fellows, justices of our said Lord the King, assigned to deliver the gaol of the said of the prisoners therein being.

Whereas the person hereunder named appears to this court to have been active in or towards the apprehension of J. H., charged with housebreaking:

£3 2 0 *It is therefore ordered*—That the sheriff of the county of N, (C. L., Esquire,) do, upon sight hereof, forthwith pay unto M. O., police officer, of S, three pounds and two shillings, which to this court seems reasonable and sufficient to compensate the said person for his expenses, exertions, and loss of time in or towards such apprehension, pursuant to the statute in such case made and provided.

By the Court.

N.B. Seven shillings is added to the amount allowed in each case, viz., two shillings for swearing affidavit in court, and five shillings allowed by the Act of Parliament for the order.

TAXED BILLS FOR CONSTABLES' EXPENSES ALLOWED IN ORDERS UPON THE SHERIFF.

Yorkshire Summer Assizes, 18th July, 1835.

The King on the prosecution of William Massey
against
James Coates and William Doherty,
} For burglary.

Account of Expenses incurred by Edward Read, Chief Constable, and James Ingham and William James, Police Officers, of Leeds, in searching for and apprehending the above Prisoners, and for their Time engaged therein:—

	£.	*s.*	*d.*
1835, *May* 16.—Paid expenses in searching for and apprehending the prisoner William Doherty	0	15	6
Paid coach-hire and expenses to Little London, Buslingthorp, New Huddersfield, and other places, in searching for and apprehending the prisoner James Coates	1	5	6
Edward Read, chief constable, and James Ingham and William James, police officers, four days each in searching for and apprehending the prisoners	5	0	0
	7	1	0
	0	7	0
	£7	8	0

Edward Read, chief constable of Leeds, maketh oath and saith that he, this deponent, and James Ingham and William James, were necessarily engaged in searching for and apprehending the above prisoners the time above mentioned, and that they paid and expended in and about such search and apprehension the sums above stated.

EDW. READ.

Sworn in court, at the Castle of York, the 22d day of July, 1835, before me, } ABINGER.

Yorkshire Lammas Assizes, 1835.

The King on the prosecution of Jonathan Marshall
against
William Lovell,
} For sheep-stealing.

An Account of the Expenses incurred by Thomas Wilson, Police Officer of Malton, in the Apprehension of the Prisoner:—

	£.	*s.*	*d.*
1835, *May* 31.—Expenses of self on journey from Malton to Emswell, and from thence to Lockington and Lund, 25 miles distance	1	10	0
Paid constables of Emswell and Lund for their expenses	1	0	0
Paid Jonathan Marshall for journey to Hull	2	0	0
Four days' loss of time for self, at 10*s.* 6*d.* per day	2	2	0
Two constables for loss of time, 4 days each, at 5*s.* per day each	2	0	0
Oath	0	2	0
	8	14	0
	0	7	0
	£9	1	0

Thomas Wilson, of Malton, in the county of York, police officer, maketh oath and saith that he, this deponent, and the constables of Emswell and Lund, and also Jonathan Marshall, were necessarily engaged in searching after and apprehending the above prisoner the time above stated, and that he, this deponent, paid or expended in or about such search and apprehension the sum above stated.

THOS. WILSON.

Sworn in Court, at the Castle of York, the 22d day of July, 1835, before me, } ABINGER.

TABLE

Showing the Sums allowed to the Sheriffs in England under the various Heads comprised in their Bills of Cravings, and also to the Sheriffs in Wales, for the Year 1833.

	Lodgings for the Judges at both Assizes.	Fitting up the Courts.	Bailiffs' Box and Jury List.	Proclamations.	Attending Persons to read Public Acts.	Executions.	Justices' Wages.	Gaoler's Bill for Diet of Assize Convicts	Stamp and Indenture of Election.	Winter Assizes on the Home Circuit.				Charges under Special Circumstances.	Total.
										Lodgings for the Judges.	Fitting up the Court.	Sheriff's Expenses.	Under-Sheriff's Expenses. Bailiff's Expenses.		
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
Bedfordshire	35 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	18 18 0	. .	. .	. .	. .	. .	. .	Minus allowance for proclaiming accession of William IV. £10 0 0	78 18 0
Berks	50 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	18 15 6	. .	. .	. .	. .	. .	. .		131 15 6
Bucks	50 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	48 0 0	30 16 1	. .	. .	. .	. .	. .		141 16 1
Cambridge and Huntingdon	50 0 0	5 0 0	5 0 0	3 0 0	1 10 0	6 0 0	9 18 0	. .	. .	. .	. .	. .	. .		80 8 0
Chester	16 6 7	. .	5 0 0	4 0 0	2 0 0	. .	. .	. .	. .	. .	. .	. .	. .		27 6 7
Cornwall	65 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	48 0 0	9 15 4½	. .	. .	. .	. .	. .		135 15 4½
Cumberland	45 0 0	5 0 0	5 0 0	3 0 0	1 0 0	. .	47 16 0	. .	. .	. .	. .	. .	. .	Return to election writ 0 4 0	107 0 0
Derby	38 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	42 0 0	11 5 8½	. .	. .	. .	. .	. .		104 5 8½
Devon	65 0 0	5 0 0	5 0 0	1 0 0	1 0 0	. .	46 14 0	25 16 9½	. .	. .	. .	. .	. .		149 10 9½
Dorset	45 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	25 0 0	19 3 2½	. .	. .	. .	. .	. .		104 3 2½
Essex	65 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	9 1 0	51 16 5	. .	60 0 0	2 10 0	88 4 0	44 2 0 47 5 0		380 18 5
Gloucester	45 0 0	5 0 0	5 0 0	2 0 0	1 0 0	8 0 0	16 4 0	37 10 0	. .	. .	. .	. .	. .		119 14 0
Hereford	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	48 0 0	34 10 8	. .	. .	. .	. .	. .		150 10 8
Hertford	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	30 19 0	16 12 6	. .	40 0 0	3 17 0	63 0 0	31 10 0 18 15 0	Glove money . . 5 0 0	277 13 6
Kent	70 0 0	5 0 0	5 0 0	2 0 0	1 0 0	6 0 0	26 9 0	49 10 9	. .	60 0 0	7 14 8	100 16 0	50 8 0 60 0 0		443 18 5
Lancaster	65 0 0	5 0 0	5 0 0	1 0 0	1 0 0	6 0 0	. .	. .	3 10 0	. .	. .	. .	. .		86 10 0
Leicester	35 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	48 0 0	. .	. .	. .	. .	. .	. .		96 0 0
Lincoln	40 0 0	5 0 0	5 0 0	2 0 0	1 0 0	6 0 0	48 0 0	30 16 1	. .	. .	. .	. .	. .		137 16 1
London and Middlesex	. .	. .	5 5 0	10 0 0	. .	. .	435 11 8	. .	. .	. .	. .	. .	. .	Conducting prisoners . 52 10 0 Special commission for re-trial of prisoners . 56 1 0 Claim of under-sheriffs in 1828 9 per order of Lord Althorp . . . 160 16 0	720 3 8
Monmouth	45 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	9 12 0	9 1 1	. .	. .	. .	. .	. .		76 13 1
Norfolk	65 0 0	5 0 0	5 0 0	1 0 0	1 0 0	. .	13 4 0	. .	. .	. .	. .	. .	. .		90 4 0
Northampton	46 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	20 0 0	31 14 8	. .	. .	. .	. .	. .		110 14 8
Northumberland	. .	2 10 0	2 10 0	2 0 0	1 0 0	. .	19 12 0	. .	. .	. .	. .	. .	. .		27 12 0
Nottingham	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	40 0 0	11 5 0	. .	. .	. .	. .	. .		121 5 0
Oxford	50 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	32 8 0	9 8 4	. .	. .	. .	. .	. .		104 16 4
Rutland	25 0 0	2 0 0	2 0 0	2 0 0	1 0 0	2 0 0	2 0 0	. .	. .	. .	. .	. .	. .		36 0 0
Salop	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	4 0 0	38 14 0	19 16 7	. .	. .	. .	. .	. .	Lord Tankerville for the poor of St. Giles's . . . 1 10 0	132 0 7
Somerset	60 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	48 0 0	108 3 2¾	. .	. .	. .	. .	. .		229 3 2¾
Southampton	60 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	46 0 0	27 19 8	. .	. .	. .	. .	. .		146 19 8
Stafford	45 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	48 0 0	103 9 8	. .	. .	. .	. .	. .		211 9 8
Suffolk	50 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	44 19 6	20 9 4	. .	. .	. .	. .	. .		130 8 10
Surrey	75 0 0	5 0 0	5 0 0	2 0 0	1 0 0	2 0 0	48 0 0	. .	. .	60 0 0	2 10 0	75 12 0	37 16 0 31 10 0		345 8 0
Sussex	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	3 0 0	. . .	20 18 2	. .	55 0 0	5 0 0	88 4 0	44 2 0 42 0 0	Minus allowance in last gaoler's bill 6 15 0	332 19 2
Warwick	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	18 5 0	77 10 8½	. .	. .	. .	. .	. .		163 15 8½
Westmorland	. .	5 0 0	5 0 0	1 0 0	1 0 0	. .	. .	. .	. .	. .	. .	. .	. .		12 0 0
Wilts	55 0 0	5 0 0	5 0 0	2 0 0	1 0 0	. .	33 19 0	36 13 6½	. .	. .	. .	. .	. .		138 12 6½
Worcester	70 0 0	5 0 0	5 0 0	2 0 0	1 0 0	4 0 0	44 10 0	21 19 7¾	. .	. .	. .	. .	. .		153 9 7¾
York	. .	5 0 0	5 0 0	2 10 0	1 5 0	6 0 0	48 0 0	109 5 0	. .	. .	. .	. .	. .		177 0 0
	1,755 6 7	174 10 0	184 15 0	84 10 0	38 15 0	65 0 0	1,551 14 2	944 3 8½	3 10 0	275 0 0	21 11 8	415 16 0	207 18 0 199 10 0		292 16 0 6 214 16 1½

WALES.—The allowances made to each Sheriff in Wales were . . . { For judges' lodgings, by 10 Geo. IV., c. 50, s. 115 . . . . . £20 0 0 / For distributing notices to Crown tenants, and issuing proclamations . . 5 0 0 / For other expenses . . . . . 30 0 0 } £55 0 0

TABLE showing the Sums allowed to the Sheriffs in England under the various Heads comprised in their Bills of Cravings, and also to the Sheriffs in Wales, for the Year 1834.

	Lodgings for the Judges at both Assizes.	Fitting up the Courts.	Balloting Box and Jury List.	Proclamations.	Attending Persons to read Public Acts.	Executions.	Justices' Wages.*	Gaoler's Bill for Diet of Assize Convicts.	Stamp and Indenture of Election.	Minus Allowance for Proclamations last Year.†	Winter Assizes on the Home Circuit.					Charges under Special Circumstances.	Total.
											Lodgings for the Judges.	Fitting up the Court.	Sheriff's Expenses	Under-Sheriff's Expenses.	Bailiff's Expenses.		
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
Bedfordshire	35 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	. .	1 0 0	3 0 0	. .	. .	. .	. .	. .	. .	63 0 0
Berks	50 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	11 16 0	2 15 0	3 0 0	. .	. .	. .	. .	. .	. .	93 11 0
Bucks	Not yet passed	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .
Cambridge and Huntingdon	50 0 0	5 0 0	5 0 0	18 0 0	2 0 0	. .	. .	. .	. .	4 10 0	. .	. .	. .	. .	. .	. .	84 10 0
Chester	16 11 9	. .	5 0 0	12 0 0	2 0 0	. .	. .	. .	1 0 0	. .	. .	. .	. .	. .	. .	Solicitor's bill for defending an *ex officio* information preferred and filed by his Majesty's Attorney-General against the High Sheriff of the county of Chester, for refusing to do execution upon two felons convicted £793 18 0	830 9 9
Cornwall	65 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	12 6 5	4 10 0	3 0 0	. .	. .	. .	. .	. .	. .	110 16 5
Cumberland	45 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	. .	1 10 0	3 0 0	. .	. .	. .	. .	. .	. .	73 10 0
Derby	38 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	3 1 0	1 0 0	3 0 0	. .	. .	. .	. .	. .	. .	69 1 0
Devon	65 0 0	5 0 0	5 0 0	10 0 0	2 0 0	. .	. .	27 5 0	4 0 0	3 0 0	. .	. .	. .	. .	. .	. .	121 5 0
Dorset	45 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	26 12 6	4 0 0	3 0 0	. .	. .	. .	. .	. .	. .	102 12 6
Essex	65 0 0	5 0 0	5 0 0	10 0 0	2 0 0	. .	. .	25 17 10	2 0 0	3 0 0	. .	. .	. .	42 0 0	12 12 0	. .	172 9 10
Gloucester	. .	. .	. .	2 0 0	. .	. .	. .	2 0 6	. .	. .	. .	. .	. .	. .	. .	. .	4 0 6
Hereford	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	29 11 4	1 12 0	3 0 0	. .	. .	. .	. .	. .	. .	113 3 4
Hertford	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	10 8 6	1 4 0	3 0 0	30 0 0	. .	. .	. .	. .	. .	125 12 6
Kent	70 0 0	5 0 0	5 0 0	12 0 0	2 0 0	4 0 0	. .	33 5 4	2 10 0	3 0 0	. .	. .	. .	42 0 0	12 12 0	. .	191 7 4
Lancaster	65 0 0	5 0 0	5 0 0	14 0 0	2 0 0	4 0 0	. .	. .	4 10 0	3 0 0	. .	. .	. .	. .	. .	. .	102 10 0
Leicester	35 0 0	5 0 0	5 0 0	10 0 0	2 0 0	. .	. .	. .	1 10 0	3 0 0	. .	. .	. .	. .	. .	. .	61 10 0
Lincoln	40 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	6 12 6	3 0 0	3 0 0	. .	. .	. .	. .	. .	. .	76 12 6
London and Middlesex	Not yet passed	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .
Monmouth	45 0 0	2 10 0	2 10 0	12 0 0	2 0 0	. .	. .	3 18 3	0 16 8	3 0 0	. .	. .	. .	. .	. .	. .	71 14 11
Norfolk	Not yet passed	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .
Northampton	46 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	38 10 0	4 10 0	3 0 0	. .	. .	. .	. .	. .	. .	118 0 0
Northumberland	. .	2 10 0	2 10 0	12 0 0	2 0 0	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	19 0 0
Nottingham	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	8 12 6	2 0 0	3 0 0	. .	. .	. .	. .	. .	. .	92 12 6
Oxford	50 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	9 16 10	2 5 0	3 0 0	. .	. .	. .	. .	. .	. .	89 1 10
Rutland	25 0 0	2 0 0	2 0 0	12 0 0	2 0 0	. .	. .	1 15 0	1 0 0	3 0 0	. .	. .	. .	. .	. .	. .	48 15 0
Salop	55 0 0	5 0 0	5 0 0	10 0 0	2 0 0	. .	. .	11 11 9	. .	3 0 0	. .	. .	. .	. .	. .	Lord Tankerville for the poor of St. Giles's . . . 1 10 0	93 1 9
Somerset	60 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	88 5 9	2 8 10	3 0 0	. .	. .	. .	. .	. .	. .	177 14 7
Southampton	60 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	30 4 8	2 0 0	3 0 0	. .	. .	. .	. .	. .	Board's End clerk . 18 5 0	137 9 8
Stafford	45 0 0	5 0 0	5 0 0	12 0 0	2 0 0	4 0 0	. .	38 10 8½	2 10 0	3 0 0	. .	. .	. .	. .	. .	. .	117 0 8½
Suffolk	50 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	17 18 2½	4 0 0	3 0 0	. .	. .	. .	. .	. .	. .	98 18 2½
Surrey	75 0 0	5 0 0	5 0 0	12 0 0	2 0 0	4 0 0	. .	. .	. .	. .	. .	. .	. .	42 0 0	12 12 0	. .	157 12 0
Sussex	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	8 15 0	4 0 0	3 0 0	. .	. .	. .	. .	. .	. .	94 15 0
Warwick	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	65 4 8	1 10 0	3 0 0	. .	. .	. .	. .	. .	. .	150 14 8
Westmorland	. .	5 0 0	5 0 0	12 0 0	2 0 0	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	24 0 0
Wilts	55 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	36 16 1	4 6 0	3 0 0	. .	. .	. .	. .	. .	. .	125 2 1
Worcester	70 0 0	5 0 0	5 0 0	12 0 0	2 0 0	2 0 0	. .	13 6 9	2 15 0	3 0 0	. .	. .	. .	. .	. .	. .	115 1 9
York	. .	5 0 0	5 0 0	15 0 0	2 10 0	6 0 0	. .	30 17 6	4 15 2	3 15 0	. .	. .	. .	. .	. .	. .	72 17 8
	1,595 11 9	157 0 0	162 0 0	413 0 0	68 10 0	36 0 0	. .	593 0 7	74 17 8	92 5 0	30 0 0	. .	. .	126 0 0	37 16 0	813 13 0	4,199 14 0

WALES.—The allowances made to each Sheriff in Wales were

For judges' lodgings, by 10 Geo. IV., c. 50, s. 115	£20 0 0
For distributing notices to Crown tenants, and issuing proclamations	5 0 0
For other expenses	15 0 0

N.B.—The annual allowances to the sheriffs in Wales antecedent to 1834 had been from time immemorial £55 to each sheriff; but in consequence of the passing of the 3d and 4th Will. IV., c. 99, by which the sheriffs were relieved from the charge of about £15 a-year each for the fees, &c., on their patents, a reduction has been made to that extent in the allowance for expenses.

It has not been the practice to allow the sheriffs in Wales to make out Bills of Cravings as in England, except on the execution of felons, on which occasions a special allowance is made for expenses actually incurred, upon application for that purpose to the Treasury.

* Since 1833 Justices' Wages have been excluded from the Bills of Cravings. † The sums in this column refer to the unwarranted reduction in 1833 of the allowance both for proclamations and attendances on persons to read public Acts.

RETURN OF CONVICTION MONEYS paid at the Treasury to the Sheriffs of the following Counties, on Account of Criminal Prosecutions in the years 1816 and 1817, being the two years antecedent to the passing of the Act of the 58 Geo. III. c. 70; and also of the Amount paid in the years 1833 and 1834, under the Act of the 7 Geo. IV. c. 64.

Counties.	1816.			1817.			1833.			1834.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Bedford	1,600	0	0	210	0	0	.	.		.	.	
Berks	.	.		120	0	0	.			6	5	0
Bucks	200	0	0	290	0	0	55	0	0	40	6	6
Cambridge	400	0	0	330	0	0	102	19	0	5	0	0
Chester	130	0	0	180	0	0	.	.		.	.	
Cornwall	200	0	0	220	0	0	.	.		10	5	0
Cumberland	.	.		370	0	0	5	4	0	1	11	10
Derby	80	0	0	280	0	0	.	.		.	.	
Devon	360	0	0	900	0	0	68	1	0	97	10	6
Dorset	.	.		200	0	0	.	.		.	.	
Durham	.	.		140	0	0	12	5	6	5	17	0
Essex	870	0	0	1,140	0	0	189	10	0	91	14	0
Gloucester	940	0	0	750	0	0	111	0	0	93	1	0
Hants	500	0	0	1,030	0	0	50	4	0	136	16	0
Hereford	280	0	0	460	0	0	12	17	0	30	5	0
Hertford	210	0	0	340	0	0	51	12	6	12	0	0
Hunts (See Cambridge)	.	.		.	.		.	.		.	.	
Kent	516	0	0	770	0	0	125	14	0	73	12	6
Lancaster	1,080	0	0	1,210	0	0	2	0	0	20	0	0
Leicester	250	0	0	540	0	0	20	5	0	24	9	0
Lincoln	310	0	0	620	0	0	8	17	0	6	11	0
Middlesex and London	4,270	0	0	4,860	0	0	242	13	0	290	2	0
Monmouth	.	.		80	0	0	37	0	0	27	14	0
Norfolk	760	0	0	650	0	0	30	10	0	63	1	7
Northampton	120	0	0	890	0	0	.	.		.	.	
Northumberland	170	0	0	40	0	0	6	14	8	32	12	9
Nottingham	330	0	0	160	0	0	86	17	0	7	5	0
Oxford	90	0	0	280	0	0	66	5	0	41	0	0
Rutland	20	0	0	.	.		.	.		.	.	
Salop	240	0	0	20	0	0	27	1	6	40	0	0
Somerset	630	0	0	1,420	0	0	248	7	9	225	10	8
Stafford	480	0	0	900	0	0	71	11	0	185	5	0
Suffolk	180	0	0	150	0	0	.	.		.	.	
Surrey	610	0	0	830	0	0	85	15	0	156	10	6
Sussex	250	0	0	630	0	0	43	1	0	50	0	0
Warwick	380	0	0	1,110	0	0	58	7	0	61	5	0
Westmorland	.	.		10	0	0	.	.		4	6	0
Worcester	240	0	0	1,100	0	0	.	.		37	5	0
Wilts	470	0	0	879	0	0	43	11	8	.	.	
York	400	0	0	980	0	0	329	19	4	307	18	0
Anglesey	.	.		.	.		.	.		.	.	
Carnarvon	.	.		.	.		.	.		.	.	
Denbigh	40	0	0	40	0	0	.	.		10	0	0
Flint	20	0	0	.	.		.	.		.	.	
Merioneth	.	.		40	0	0	.	.		.	.	
Montgomery	.	.		.	.		.	.		.	.	
Brecon	.	.		.	.		.	.		20	0	0
Carmarthen	80	0	0	40	0	0	.	.		30	9	0
Cardigan	.	.		.	.		.	.		.	.	
Glamorgan	.	.		40	0	0	.	.		5	0	0
Pembroke	.	.		50	0	0	.	.		.	.	
Radnor	.	.		50	0	0	10	0	0	.	.	
	16,266	0	0	25,349	0	0	2,203	2	11	2,250	8	10

(Signed) RICHARD HANKINS.

Treasury Chambers, March 10th, 1836.

STATEMENT OF FEES AS CLAIMED BY THE CLERKS OF ASSI

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowance.
1	For recording the appearance of every defendant in misdemeanor	5/4		5/4	
2	Copy of every indictment in misdemeanor not exceeding ten sheets, one name.	8/8		/8 per folio for indictments generally.	
	——— every name more than one	2/			
3	Every process	2/		2/6 distringas.	
4	Entering every defendant's plea of not guilty	2/		4/ recording plea in traverse.	
5	Every special plea	1/ per sheet.			
6	Entering every cesset processus	4/	1730—2/ 1834—2/		
7	Every order If long Copying	7/ 1/ per sheet. /8		5/ restitution of stolen property; 13/4 to admit accomplice; 5/ on sheriff for expenses; 5/ in misdemeanor.	1779 — 5/ each order. 1834—*id.*
8	Entering the confession or submission of every defendant	4/		13/4 confession in misdemeanor.	
9	Taking and entering every recognisance	5/4		6/4	
10	Respiting every recognisance	4/0		8/4	
11	Discharging every recognisance	9/		6/4	
12	Calling every cause, reading the record, and recording proclamation	5/			
13	Drawing every record of a traverse, or conviction, or acquittal	1/ per sheet.		1/ per sheet.	
14	Ingrossing the same	1/ per sheet.		1/ per sheet.	
15	Copying every record of a traverse, conviction, or acquittal	/8 per sheet.		/8 per sheet.	
16	Clerk of assizes, clerk's fee on every traverse	3/0			
17	Every subpœna	3/6	1779—3/0 1834—*id.*	3/6	1779—2/6 1834—*id.*
18	Every subpœna ticket	/6		/6	
19	Every venire	8/		6/4	
20	Every habeas corpus or recipias	5/		6/8 hab. cor. ad test.	
21	Entering every verdict of not guilty in misdemeanor, each defendant	6/8			
22	Every writ of restitution	8/8			
23	Every writ of protection	8/8	1779—8/		
24	Copy of every indictment in felony	15/4			
25	Every prisoner discharged by proclamation	9/0		13/4	

* *Note.*—Where nothing is entered under the column of "Allowance," it is to be understood that the fee was allowed by the Commissioners of 1834, as claim Where entries are made under the dates of 1730 and 1834, they refer to allowances made in reduction of the fee claimed under Commissions of those da respectively. When under date of 1779, they refer to the amounts *claimed* in respect of the same fee before Parliament in that year.

RE THE COMMISSIONERS UNDER THE 1st WILL. IV., c. 58.

NORTHERN.		MIDLAND.		NORFOLK.		HOME.	
..um.	Allowance.	Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.
2 1	. .	7/4	. .	7/4 for one person; 4/ every other person.	. .	12/10 appearance and plea.	. .
..dio for in-nts gene-	. .	6/8, less than five folios; if more /8 per folio. If more than one name 2/8 for every extra name.	. .	6/8 2/; if long /8 per folio.	. .	.	. .
2/6	. .	. .	. .	2/	. .	2/6	. .
4/	. .	5/4	. .	5/4	. .	See under, No. 1.	. .
..er folio.	. .	. .	. .	6/8 joining issue for the King.	. .	. .	. .
.	. .	. .	. .	13/4	. .	. .	. .
..r orders of : 10 8 for s of commit- .	. .	8/ order of restitution of stolen goods; 6/8 order of court.	. .	6/8 every order; 5/ on sheriff.	. .	5/ order of court; 5/ costs of apprehension.	. .
..bmissions.	. .	5/4 submissions.	. .	6/8 confessions in misdemeanor.	. .	. .	. .
5/4	. .	5/4	. .	8/	. .	6/6	1779—6/4 1834—*id.*
14/8	. .	. .	. .	10/8	1779—6/8 1834—*id.*	6/6	1779—6/4 1834—*id.*
14/8	. .	10/6	1779—10/4 1834—*id.*	14/8	. .	6/6	1779—6/4 1834—*id.*
. .	. .	. .	. .	2/ calling traverse; 2/ entering plea.	. .	. .	. .
per folio.	. .	1/ per folio.	. .	1/ per folio.	. .	1/4 per folio drawing, engrossing, and copying issue books.	. .
per folio.	. .	1/ per folio.	. .	1/ per folio.	. .	See No. 13.	. .
..per folio.	. .	/8 per folio.	. .	/8 per folio.	. .	See No. 13.	. .
. .	. .	. .	. .	6/8	. .	6/8	. .
2 6 ces tecum, 5/	. .	2/6 Duces tecum, 10/6	1779—2/6; no distinction. 1834—*id.*	4/6	1779—2/6 1834—*id.*	4/, with four copies	1779—2/6, and /4 each copy. 1834—3/10
. .	. .	/6	1779—/4 1834—*id.*	/6	. .	. .	. .
6/8	. .	2/	. .	5/4	. .	2/6	. .
6 hab. cor.	. .	5/4 hab. cor. and rec.	. .	5/	. .	5/ Extra name, 1/	. .
4/0	. .	. .	. .	6/8 entering; recording ditto, 2/0	. .	12/0	. .
. .	. .	. .	. .	6/8	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	3/6; but if long, /8 per folio.	. .	2/6 per count, in larceny; if more than five folios, /8 per folio.	1779— Felony . 13/4 Misdem. 3/4 under 5 sheets. Above, /8 per folio.
14/8	. .	20/ where bill ignored; 13/4 if no prosecution.	1779—Recording bill ignored, 6/8 1834—*As claimed, receipt 50 years.*	15/8 by proclamation; 13/4 ditto, bill ignored; 14/8 other discharge.	. .	9/4 by proclamation, 15/8 if bill ignored.	1779—Recording bill ignored, 6/8

Statement of Fees as claimed by the Clerks of Assize before

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowance.
26	Every prisoner convicted and burnt in the hand, and whipped and bound over again.	19/4	. .	. .	. .
27	Every prisoner convicted and burnt in the hand, or whipped and discharged.	14/0	. .	. .	. .
28	Every prisoner found not guilty in one indictment for felony, and discharged. If acquitted on more than one indictment for felony, for each additional acquittal.	17/8 8/8	. .	13/4 recording an acquittal.	. .
29	Pleading every pardon	17/4	. .	. .	. .
30	Copy of an ignoramus indictment	5/4	Not in 1779. In 1730—5/4	. .	. .
31	Every writ *de executione judicii*	6/8	. .	. .	. .
32	Copy of every acquittal	13/4	Not in 1779. In 1730—13/4	. .	. .
33	Every sheriff's calendar (county)	42/	1779—40/	50/	. .
	The like (city)	18/4	1834—*id.*	90/ Devon and Somerset.	
34	Every gaoler's calendar	12/6	. .	21/; 50/ Devon and Somerset.	1779—Devon and Somerset 40/ 1834—*id.*
35	Return to every certiorari	16/8	. .	. .	. .
36	Writ or warrant of good behaviour for the first name	3/6	. .	. .	. .
	The like for every other name	2/			
37	For every certificate of indictment found	3/6	. .	. .	. .
	Every name after the first	1/			
38	For every certificate to any of the courts in Westminster-hall . . .	6/8	. .	. .	. .
	If long, according to length				
39	For every immediate search, for an indictment, or other matter . .	1/	. .	1/ every search.	. .
	If of length or time, according to trouble				
40	For the allowance and entry of every noli prosequi on each indictment	13/4	. .	. .	. .
41	For the entry of every traverse	2/	. .	2/	. .
42	For reading every exhibit or evidence	1/	. .	1/	. .
43	Glove money received of the sheriff at a maiden assize	20/	. .	21/	1779—20/ 1834—*a gratuity*
44	For a transcript from an indictment in order to convict a felon for being at large before the expiration of the term of transportation.	2/6	Not in 1779. In 1730.	. .	. .
45	For every order to spare every issue of the petty jurymen	2/	Not in 1779. In 1730.	. .	. .
46	To the clerk of assize's bailiff, attending the prosecutor and witnesses, and carrying the bills from the clerk of indictments to the court, and getting them sworn thereto, and carrying same to grand jury.	. .	. .	. .	. .
47	Every order for compensation in lieu of rewards for apprehending prisoners. (58 Geo. III., c. 70; 7 Geo. IV., c. 64.)	5/	Granted by 7 Geo. IV., c. 64, s. 29.	5/	Granted by 7 Geo IV., c. 64, s. 29.
48	Every order on treasurer of county for costs to prosecutor	1/	. .	1/	. .
	The like to each witness	/6	. .	/6	. .
	(58 Geo. III., c. 70; 7 Geo. IV., c. 64.)				

...ssioners under the 1st Will IV., c. 58—*continued.*

...n.	NORTHERN. Allowance.	MIDLAND. Claim.	MIDLAND. Allowance.	NORFOLK. Claim.	NORFOLK. Allowance.	HOME. Claim.	HOME. Allowance.
.	. .	. .	. .	13/4	. .	. .	. .
.	. .	. .	. .	. .	. .	4/8 in felony; 12/ in trespass.	. .
...uittal of in cus- 0/8 if not ...dy.	1779—14/8 discharge; 10/8 acquittal.	1/6/8, being 13/4 for acquittal, 13/4 for discharge.	. .	13/4 for acquittal in murder or manslaughter; 6/8 in felony.	. .	9/4	. .
8	. .	. .	. .	16/8	. .	. .	. .
.	. .	. .	. .	. .	. .	2/6 per count in larceny; more than 5 folios /8 per folio.	1779—same as No. 24.
.	. .	. .	. .	6/8	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
... 1 6 8 ... 1 11 8 ... 3 14 8 ...r- ... 1 11 8 ...nd 1 1 0 ...d . 1 8 0 ...circuit.	7 counties 2*l.* 5*s.* each .... £15 15 0 Ditto 3 Towns 6*s.* 8*d.* each 1 0 0 *Nomina ministrorum;* County of Lincoln ..... 1 10 0 6 other counties 15*s.* each. 4 10 0 One circuit..... 22 15 0 2 45 10 0 * Add Lincoln .... 0 13 4 £46 3 4 Two circuits, or one year.		* Lincoln claimed 20/ each circuit, 1834, *allowed* 6/8	33/4 generally; 54/ Norfolk.	1779—33/4, without distinction. 1834—33/4; *and Norfolk same.*	40/ each county, each circuit.	1779—county 12/6 a circuit; gaoler 7/6 a circuit. 1834—20/ *a circuit.*
.	. .	21/ Lincoln; 31/ Warwick; 5/5/0 a-year.	1779 each 21/ 1834 4/4 *a-year.*	13/4	1779—12/6 1834—*id.*	. .	. .
3/4	. .	. .	. .	13/4; for every name 2/: transcript of a record 1/ per folio.	. .	15/4 in felony; 8/8 in trespass; and each extra name 2/	. .
.	. .	. .	. .	6/8; entering warrant for a pardon 13/4.	. .	. .	. .
...ills found.	1779—2/ 1834—*id.*	3/6	. .	. .	. .	5/ including search 1/	1779—3/ 1834, *cert.* . 3/ „ *search* . 1/ 4/ *Each additional name* 1/
.	. .	. .	. .	6/8	. .	. .	. .
...short. ...ear, if long.	. .	. .	. .	1/ every search; if long, according to trouble.	. .	1/	. .
.	. .	. .	. .	13/4	. .	. .	. .
...ing traverse.	. .	2/; double 4/	1779—2/ only. 1834—*no double fees.*	2/	. .	2/	. .
1/	. .	2/	. .	2/	. .	2/	. .
21/	. .	21/, except Rutland.	. .	7/7/0 per annum.	. .	21/ each county.	1779—20/
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	2/6 generally. Norfolk and Suffolk 5/.	. .	. .	. .
1/	1779—/6 1834—*id.*	1/	1779—/4 1834—*id.*	. .	. .	. .	. .
5/	Granted by 7 Geo. IV., c 64, s. 29.	5/	. .	5/	. .	5/	. .
1/ /6	. . . .	1/ /6	. . . .	1/ /6	. . . .	1 /6	. . . .

Statement of Fees as claimed by the Clerks of Assize

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowa
49	For every order to discharge a prisoner (debtor)	2/6			
50	Every certificate of conviction of felony (7 and 8 Geo. IV., c. 28.)	6/8		6/8	
51	For every certificate to the gaoler of prisoners acquitted or discharged (14 Geo. III., c. 20; 55 Geo. III., c. 50.)	2/ each name.			
52	From the treasurers of the several counties on the circuit for preparing the circuit letter, and procuring the Secretary of State's letter thereon, signifying the Royal pleasure respecting reprieved convicts, including the fees paid at the Secretary of State's office.	2/17/0 per circuit, except Oxford. 2/10/0 in Berks.	1834—*a gratuity.*	5/5/0 per circuit, not as fee but gratuity from Somerset.	
53	For every order of transportation thereon	7/; 10/ Berks; 21/ Oxford.	Service required by 5 Geo. IV., c. 84, s. 21. Not in 1779, except as an order generally. 1834 — *Allowed as having been received 50 years.*	21/	
54	For every order to hard labour in the house of correction (19 Geo. III., c. 74; 50 Geo. III., c. 27.)	7/; 10/ Bucks.		21/	
55	From the Secretary of State, for making the criminal returns after each circuit—for each county or city.	1/1/0	1834—*a gratuity.*	10/6	
56	From the treasurers of the several counties and cities for making the annual criminal return to Parliament directed by the 55 Geo. III. c. 49.	28/7/0 in aggregate	Duty abolished 11 Geo. IV. and 1 Will. IV., c. 26.	25/4/0 in aggregate	Duty abolished Geo. IV. an Will. IV., c.
57	For filing every information—of the informer	6/8	1834—*disallowed.*		
58	For subpœna thereon	2/6	Not in 1779. In 1730 2/6.		
59	For the defendant's appearance thereon	4/	1730—4/		
60	For every plea of not guilty Other pleas, according to length	2/ 1/ per sheet.	Not in 1779. In 1730.		
61	For every venire facias—on information	2/6	1730—2/6		
62	For every habeas corpora or distringas	2/6	1730—2/6	2/6 distringas.	
63	Entering every judgment, either for informer or defendant	6/8	1730—6/8		
64	For every *fi. fa.* or *ca. sa.*	3/6	1730—3/6		
65	To the clerk, for writing	/6	1730—/6		
66	Filing inquisition in murder or manslaughter				
67	Recording bill of indictment returned ignored				
68	For reading and filing an affidavit			2/	
69	For filing certificate of nuisance being abated			3/4	
70	For discharging an indictment against a defendant or parish			1/16/4	
71	For respiting issues on process on an indictment for a nuisance			8/4	
72	From chief constables, for their returns of presentments when not returned in person.				
73	From coroners for non-attendance				
74	For a certificate to enable an informer to obtain the reward on a conviction for stealing naval stores.			10/6	Not in 177 1834—*disallow*
75	For every conviction on a Government prosecution, and by the Bank of England.			21/	1834—*disallo* *A gratuity*
76	For the abstract of indictment for Judge in such prosecutions			2/ per count.	1834—*disallo*
77	For the challenge of each juror in such prosecutions			2/	1834—*disallo*
78	Of the sheriffs and gaolers for their calendars on the trial of prisoners for misdemeanors.			2/2/0 a-year at Exeter.	1834—*disallo* *A gratuity*

...ssioners under the 1st Will. IV. c. 58—*continued.*

NORTHERN.		MIDLAND.		NORFOLK.		HOME.	
...m.	Allowance.	Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.
.	. .	2/6	. .	2/6	. .	2/6	. .
·8	. .	6/8	. .	6/8	. .	6/8	. .
.	. .	. .	. .	6/8	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
1/	. .	21/	. .	21/ generally; 20/ Buckingham.	. .	21/; except Surrey 20/. In Surrey, after the first 10, only 10/.	. .
1/	. .	21/	. .	21/ generally; 20/ Buckingham.	. .	21/; except Surrey, where 20/ is taken for 10 prisoners; after the first 10 10/ only.	. .
21/	. .	. .	. .	15/15/0 per annum altogether.	. .	. .	. .
n aggregate	Duty abolished 11 Geo. IV. and 1 Will. IV., c. 26.	. .	Duty abolished 11 Geo. IV. and 1 Will. IV., c. 26.	21/0/0 in aggregate	. .	37/16/0 in aggregate.	. .
.	. .	. .	. .	2/	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
.	. .	. .	. .	2/	. .	. .	. .
.	. .	. .	. .	4/ not guilty.	. .	. .	. .
.	. .	. .	. .	1/ per folio.	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
.	. .	. .	. .	6/8 entering in misdemeanor.	. .	. .	. .
.	. .	. .	. .	2/6	. .	. .	. .
.	. .	. .	. .	. .	. .	. .	. .
.	. .	6/8	. .	6/8	1779—3/6 1834—*id.*	5/	. .
.	. .	6/8	. .	6/8	. .	. .	. .
3/4	. .	6/8	. .	6/8	. .	. .	. .
3/6	1779—filing 2/6; reading 1/	6/8	. .	6/8	. .	. .	. .
respiting indictment 10/8.	. .	13/4; road repaired, same as quashing an indictment, 13/4	. .	6/8; discharging indictment for insufficiency 7/4; quashing ditto 13/4	1779 — quashing 7/4. 1834—*id.*	. .	. .
10/8	. .	6/8	See No. 7. 1834—*allowed as an order.*	. .	. .	. .	. .
. .	. .	2/6	. .	. .	. .	. .	. .
. .	. .	10/6	1834—*a gratuity.*	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	21/	. .	21/	. .
. .	. .	3/4	. .	3/6	. .	2/ per count.	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .

Statement of Fees as claimed by the Clerks of Assize be

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowance
79	From bailiff of East Retford, in lieu of his personal attendance	. .	. .	. .	. .
80	Examining and signing indictments	. .	. .	. .	. .
81	Admittance to traverse	. .	. .	. .	. .
82	Examining and signing records and copies	. .	. .	. .	. .
83	Compliments from sheriff in lieu of wine	. .	. .	. .	. .
84	Certificate *on constat*	. .	. .	. .	. .
85	Copies of bills of costs	. .	. .	. .	. .
86	Letters with information as to practice, &c.	. .	. .	. .	. .
87	Confessing for the King every plea of pardon or acquittal	. .	. .	. .	. .
88	For every licence to compound	. .	. .	. .	. .
89	Sundry receipts	. .	. .	. .	. .
90	Copies of depositions	. .	. .	. .	. .
91	Every surrender and committitur	. .	. .	. .	. .
92	Copies of affidavits, recognisances, and other matters not before mentioned.	. .	. .	. .	. .
93	Quashing an indictment or inquisition	. .	. .	13/4	. .
94	Filing recognisances returned to the assizes in the counties of Buckingham and Bedford from the court of quarter sessions.	. .	. .	. .	. .
	AS CLERK OF INDICTMENTS.				
95	Common indictment for larceny and all capital offences	3/ if not exceeding 3 folios.	1779—simple felony 2/; capital do. 3/; assault, 1 count, 3/4. 1834 — *same as* 1779.	2/6 for larceny and for parchment; 3/6 capitals, misdemeanors, or under statute, and for parchment.	1779—felony 2 1834 — 2/; *u der a statute* 3
96	Indictment for burglary, housebreaking, and highway robbery	6/ burglary and housebreaking.	1779—3/ 1834—3/	. .	. .
97	Indictment for misdemeanor and nuisance	7/	1834—*allowed* 1/ *a folio.*	. .	. .
98	For parchment for each of the above indictments	/6	1779—/4	Included above.	. .
99	Every other indictment	If exceeding 3 or 7 folios 1/ per folio, or 3/4 for common count, 6/8 for special count, besides parchment.	1834 — 3/4 *per count in common cases, and* 1/ *per folio in all others.*	If exceeding 7 folios 1/ per folio; 3/4 for common count, or 6/8 special count.	1834—3/4 *co mon count; s cial count* 5, *and* 1/ *for ceeding 7 fol*
100	For every person indicted after the first	1/ for each name.	Not claimed, 1779 1834—*disallowed.*	1/ for each name.	1834—*disallow*
101	For every person in whom the property of stolen goods is laid, besides the prosecutor	1/ for each name.	1834—*disallowed.*	1/ for each name.	1834—*disallow*
102	For the averment of a previous conviction in an indictment	. .	. .	3/4	1834—*a new s vice, allowed.*
	AS ASSOCIATE NI. PRI. SIDE.				
103	For entry of every cause	2/	. .	2/	. .
104	The like if out of the Crown Office	4/	. .	. .	. .

mmissioners under the 1st Will. IV., c. 58—*continued.*

NORTHERN.		MIDLAND.		NORFOLK.		HOME.	
Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.
. .	. .	10/6 each assize.	1834—*disallowed. A gratuity.*	. .	. .	. .	. .
6/8	. .	. .	. .	. .	. .	. .	. .
6/8	. .	. .	. .	. .	. .	. .	. .
or felony trea- and murder, l.	. .	. .	. .	6/8 for felony.	. .	. .	. .
4 in aggregate	1834—*a gratuity.*	. .	. .	12/16/0 per annum.	*A gratuity.*	. .	. .
6/10	1779—reading as an exhibit 1/.	. .	. .	6/8	. .	13/4	Not in 1779. 1834—*disallowed.*
t/8 per folio.	. .	. .	. .	. .	. .	. .	. .
5/	1834—*a gratuity.*	. .	. .	. .	. .	. .	. .
6/8	. .	. .	. .	. .	. .	. .	. .
6/8	. .	. .	. .	. .	. .	. .	. .
. .	. .	140/0/0 a-year. No particulars are given.	1834 — *Deduct 50/0/0 for postages and parcels, and sundries.*	. .	. .	Part of 22/9/0 for postages, parcels, and petty disbursements.	. .
. .	. .	. .	. .	. .	. .	3/4 each deposit, or /8 per folio.	. .
. .	. .	. .	. .	10/6	. .	10/	. .
. .	. .	. .	. .	. .	. .	3/4 if less than 5 folios; if more, then /8 a folio.	. .
. .	. .	13/4	. .	. .	. .	. .	. .
. .	. .	. .	. .	1/	1834 — *allowed; being ordered by justices and confirmed by judges of assize.*	. .	. .
r count c m- larcenies; 6 count com- nd larcenies, if long, 1/ per	1779—2/ —4 1/ per fol. if long. 1834—*id.* as 1779.	2/ larcenies and common felonies.	. .	3/6; if long /8 for drawing and /4 for engrossing.	1779—2/; above 5 sheets 1/ per folio. 1834 — *same as* 1779.	2/ larceny. 1779—2/ larceny.	. .
. .	. .	3/6 capital felonies.	. .	4/6; if long /8 for drawing and /4 for engrossing.	1779—3/4 under 5 sheets, above 1/ per folio. 1834—*same.*	3/6 if less than five folios.	1779—3/4; if less, &c.; if more 1/ per folio. 1834—*id.*
. .	. .	. .	. .	If long /8 for drawing and /4 for engrossing.	1779 — under 5 shts. 3/4; above 1/ per folio. 1834 — *same as* 1779.	3/6	1779—3/4 if under 5 folios; if more 1/ per fol. 1834—*the same.*
specified, but d for accord- to quantity used.	. .	/6	. .	. .	. .	/6 in larceny.	. .
. .	. .	5/ for murder; 1/ per folio for special indictments; 6/8 per count Bank and Mint.	1834 — *common count 5/; 1/ per folio special.*	6/8 per count in public office prosecutions; if long, according to length.	1779—1/ per fol. 1834—*same.*	1/ per folio, or 6/8 per count; Crown prosecutions 6/8 per count.	1779 — 1/ per folio. 1834 — *id.*
. .	. .	1/ each name.	1834—*allowed.*	. .	. .	1/ each name.	1779—1/ 1834—*id.*
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	3/6	1834—*allowed.*	. .	. .	. .	. .
2/	. .	2/	. .	2/	. .	2/	. .
. .	. .	4/	1779—2/ 1834—2/	4/	. .	. .	. .

Statement of Fees as claimed by the Clerks of Assize before

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowance.
105	For calling cause, empanelling jury, and marking panel	11/6	1779—6/6 1834—6/6	See end of this table.	
106	For reading the issue and record	5/			
107	For reading every additional issue	1/			
108	For every default	2/			
109	For every tales	2/	1779—2/ 1834—*allowed* 2/ *for every tales prayed, but not for each talesman.*	2/ each talesman.	1779 — recording each tales 2/ 1834—*allowed* 2/ *for each tales prayed.*
110	For every non pros.	2/	Not in 1779. In 1730—2/4		
111	For taking verdict for plaintiff or defendant, and recording same	6/	1779—plaintiff's verdict 2/; defendant's verdict or nonsuit 4/6 1834—*as in* 1779.	See end of table.	
112	Of a defendant for a defence in a defended cause	8/	1834—*allowed* 50 *years' receipt.*	8/	
113	For every warrant of attorney	1/		See end of table.	
114	For returning the postea (one issue)	4/	1779—2/ 1834—2/		
115	The like for every additional issue beyond one	4/	1779—2/ 1834—2/	4/	
116	For the acquittal of every defendant after the first	4/	1779—2/ 1834—2/	8/	1779—4/4 1834—4/4
117	For marking the panel upon default in ejectment	2/			
118	For drawing, entering, and making two fair copies of order of nisi prius	6/ each side.		6/ each side.	
119	For every certificate on the back of the record	6/		4/	
120	For every challenge to the poll	2/		2/	
121	For every challenge to the array	4/	Not in 1779. 1730—4/		
122	For reading every evidence or exhibit, and marking it	2/	1779—1/ 1834—1/	2/	
123	For taking an account in court	2/ each side.		See end of table.	
124	For every order to spare an issue	2/	Not in 1779. In 1730—2/		
125	For a juror withdrawn	2/ each side.			
126	For drawing up every challenge and every plea thereto	4/ for each.	Not in 1779. In 1730—4/		
127	For every private verdict	4/8	1730—4/8		
128	For taking notes for a special verdict	3/6 each side.	Not in 1779. 1834—*disallowed.*		
129	For copy of notes for a special verdict	3/6 each side.	Not in 1779. 1730—3/6		

Commissioners appointed under the 1st Will. IV., c. 58—*continued.*

NORTHERN.		MIDLAND.		NORFOLK.		HOME.	
Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.
...ng cause. ...ng appear- ..., calling jury. ...d marking panel.	1779 & 1834—6/	10/6; and reading issue and record 21/ double.	1779—10/6 1834—10/6 Disallow double.	2/ calling cause; 2/ balloting jury.	. .	See the end of this ta le.	. .
5/	. .	Included in the last fee.	. .	2/	. .	. .	. .
. .	1779—2/ 1834—2/	2/	. .	2/	. .	2/	. .
in undefended ause.	. .	2/; double 4/	1779—2/ 1834 — disallow the double fee.	2/	. .	2/	. .
2/	1834—*allowed for each writ of tales.*	4/ first talesman; 2/ every other; double 4/	1834 — *disallowed; allow 2/ for each writ of tales.*	6/ tales prayed	1779—6/ *allowed for the writ, but disallowed 2/ each juror.*	2/	1834—*allowed for the writ.*
. .	. .	. .	. .	4/	1779—4/	. .	. .
/ for plaintiff; 4/ for defendant.	1779—same.	7/ for plaintiff's verdict; 14/ defendant or nonsuit; double 28/	1834 — *disallow double.*	2/ plaintiff.	. .	See end of table.	. .
. .	. .	2/; double 4/	1779—2/ 1834—*disallowed double.*	. .	. .	Ditto.	. .
. .	. .	1/; double 2/	1779—1/ 1834—*disallowed double.*	4/	1779—1/ 1834—1/	Ditto.	. .
4/	1779—2/ 1834—2/	5/6; double 11/	1779—2/ 1834—2/, *and disallowed double.*	2/	. .	Ditto.	. .
4/	1779—2/ 1834—2/	. .	. .	2/	. .	. .	. .
4/	. .	. .	. .	2/ first defendant; 1/ every other in Crown Office causes.	. .	. .	. .
/ calling defendant in ejectment to confess, &c.	. .	. .	. .	2/; 2/ for marking the record.	. .	. .	. .
6/ each side.	. .	12/ altogether.	. .	6/8 each side, or /8 per folio.	. .	7/	Not in 1730. Not in 1779. 1834—*allowed*, 50 *years.*
4/	. .	8/ for special jury.	1779—6/8 1834—6/8	6/8	. .	2/6	1779—2/ 1834—2/
2/	. .	2/; double 4/	1834—*disallowed double.*	2/	. .	2/	. .
2/; filing plea 2/; copy challenge plea and each 1/.	. .	. .	. .	4/	. .	. .	. .
1/	. .	2/; double 4/	1834—*disallowed double.*	2/	. .	2/	. .
. .	. .	2/ each order.	. .	2/; or /8 a folio.	. .	See end of table.	. .
. .	. .	. .	. .	2/6; and 5/ in Norfolk and Suffolk.	. .		. .
2/	. .	2/ each side.	. .	2/	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
6/8	1834 — *allowed; 50 years' receipt.*	. .	. .	4/	. .	7/	1799—4/ 1834—4/
7/; special case 7/	. .	4/	. .	13/4	1779—13/4	6/8 a special case.	1779—6/8
. .	. .	. .	. .	. .	. .	3/1 each side.	. .

Statement of Fees as claimed by the Clerks of Assize before

	Description of Service.	OXFORD.		WESTERN.	
		Claim.	Allowance.	Claim.	Allowance.
130	For a retraxit	2/ each side.	. .	. .	. .
131	For reading the commission in an Exchequer record	4/	. .	4/	. .
132	For recording the proclamation in a Crown Office record	4/	. .	4/	1779—2/ 1834—2/
133	For reading and filing the Attorney-General's warrant to pray a tales	4/	. .	4/	. .
134	For copy of every jury made for plaintiff or defendant (when required)	2/	Not in 1779. In 1730.	. .	. .
135	For copy of indorsement of the verdict on the panel	2/	Not in 1779. In 1730.	. .	. .
136	For indorsing what is found upon an issue out of Chancery	2/	In 1730.	. .	. .
137	For attending on the Crown side, or at the Judges' lodgings, to take a verdict.	3/4	Not in 1779. In 1730.	. .	. .
138	For every confession relicta verificationi	4/	. .	. .	. .
139	For drawing up every special verdict, engrossing the same, and making two fair copies for plaintiff and defendant.	3/4 per sheet; 1/ for drawing; 1/ for engrossing; /8 for each copy.	. .	. .	. .
140	For drawing a special case	1/ per sheet.	. .	1/ per folio.	. .
141	For fair copy thereof	/8 per sheet each side.	. .	/8 per folio each side.	. .
142	For filing an affidavit	1/	Not 1779.. Not 1730; *but* 50 *years' receipt.*	2/ reading and filing.	1779—2/
143	For attending any of the courts at Westminster Hall with a postea or motion in arrest of judgment, &c.	6/8	Not 1779. In 1730—6/8	6/8	. .
144	For every nonsuit	. .	. .	. .	. .
145	Every demise (in ejectment causes) after the first	. .	. .	. .	. .
146	Verdict and inquiry	. .	. .	. .	. .
147	Minutes of special case	. .	. .	. .	. .
148	Fiat	. .	. .	. .	. .
149	For every name in defendant's verdict or nonsuit	. .	. .	. .	. .
150	For every remanet	. .	. .	. .	. .
151	For every viewer sworn on jury	. .	. .	. .	. .
152	Calling the defendant to look to his challenge	. .	. .	. .	. .
153	Upon a verdict and an inquiry where there is a unica fiat taxatio	. .	. .	. .	. .
154	Vi et armis where there is a capiat pro fine	. .	. .	. .	. .
155	Drawing and engrossing every special indorsement	. .	. .	. .	. .
156	For recording the defendant's confession of lease, entry, and ouster, and return thereof in the postea.	. .	. .	. .	. .
157	In Crown Office causes	Double fees.	In 1779.	. .	. .
158	Extra calling of a cause when it lasts more than one day	. .	. .	12/	1834—*disallowed.* No evidence of 50 years' receipt.
159	Reading and filing an award	. .	. .	3/	1834—*disallowed.*
160	Entering verdict pursuant thereto	. .	. .	4/	1834—*disallowed.*
161	Rule of reference	. .	. .	9/	1834—allowed 6/ as an order of nisi prius.

Commissioners appointed under the 1st Will. IV., c. 58—*continued.*

NORTHERN.		MIDLAND.		NORFOLK.		HOME.	
Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.	Claim.	Allowance.
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	2/	. .	4/8	. .	4/	. .
4/	1779—2/ 1834—2/	. .	. .	Filing warrant of Attorney-General, 6/4; proclamation, each defendant, 1/.	. .	4/	. .
4/	1779—2/ 1834—2/	. .	. .	. .	. .	4/	. .
. .	. .	. .	. .	1/	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	6/8	1779—6/8	. .	. .	. .	. .
. .	. .	2/	. .	. .	. .	. .	. .
per sheet drawing; 1/ for engrossing; /8 copying.	. .	4/	. .	/8 drawing; /8 engrossing; /8 copying.	. .	1/ drawing; /8 engrossing; /8 copying.	. .
1/ per sheet.	. .	1/ drawing; 1/ engrossing; /8 copying.	. .	The like.	. .	. .	. .
/8 per folio.	. .		. .	/8 per folio.	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
6/8	. .	. .	. .	6/8	. .	7/	1779—6/8 1834—6/8
4/	. .	14/	. .	. .	. .	. .	. .
. .	. .	2/	Not in 1730. Not in 1779. 1834—*disallowed.*	. .	. .	. .	. .
. .	. .	2/	. .	. .	. .	. .	. .
. .	. .	10/	. .	. .	. .	. .	. .
. .	. .	2/	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	2/	. .
. .	. .	. .	. .	. .	. .	11/6	Not in 1779.
. .	. .	. .	. .	. .	. .	2/	. .
. .	. .	. .	. .	2/	. .	. .	. .
. .	. .	. .	. .	4/	. .	. .	. .
. .	. .	. .	. .	2/	. .	. .	. .
. .	. .	. .	. .	2/ not exceeding 3 sheets, or /8 per folio.	. .	. .	. .
. .	. .	2/	. .	4/	1779—2/ 1834—*id.*	. .	. .
Double fees.	. .	Double fees.	Not claimed in 1779. Not in 1730. 1834—*disallowed.*	Double fees.	. .	Double fees.	Not in 1779. Not in 1730. 1834—*disallowed.*
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .
. .	. .	. .	. .	. .	. .	. .	. .

CALLING CAUSE, VERDICT, &c.

FEES claimed by Mr. CHAMBRE, as Associate on the WESTERN CIRCUIT, of which he could give no Particulars.

Claim.	£. s. d.	£. s. d.	Allowance.
For a common verdict with or without defence. (See 105, &c.) Of the plaintiff		1 10 0	1834—*allowed* 19*s.* 8*d.*, *as in* 1779.
If verdict for defendant or plaintiff nonsuited.			
Of the plaintiff	0 18 0		
Of the defendant	1 0 0		
		1 18 0	1834—*allowed* £1. 5*s.* 8*d.*, *as in* 1779.
If a juror withdrawn and each party pays his own costs.			
Of the plaintiff	1 9 0		
Of the defendant	0 9 0		
		1 18 0	1834—*allowed* £1. 3*s.* 4*d.*, *as in* 1779.
If a conditional verdict subject to a special case.			
Of the plaintiff	2 11 6		
Of the defendant	1 9 6		
		4 1 0	1834—*allowed* £2. 1*s.* 4*d.*, *as in* 1779.

FEES claimed by Mr. GOULD, as Associate on the HOME CIRCUIT, of which no Particulars could be given.

Claim.	£. s. d.	£. s. d.	Allowance.
Verdict for plaintiff in common causes.			
From the plaintiff	0 17 6		
From the defendant	0 4 0		
		1 1 6	1834—*allowed* 12*s.* 8*d.*, *as in* 1779.
Verdict for defendant or nonsuit.			
From the plaintiff	0 13 6		
From the defendant	0 6 6		
		1 0 0	1834—*allowed* 14*s.* 8*d.*, *as in* 1779.
Verdict in ejectment.			
From plaintiff	1 1 6		
From defendant	0 4 0		
		1 5 6	1834—*allowed* 15*s.* 8*d.*, *as in* 1779.
The like for defendant or nonsuit.			
From plaintiff	0 15 6		
From defendant	0 8 6		
		1 4 0	1834—*allowed* 17*s.* 8*d.*, *as in* 1779.
In causes where juror is withdrawn.			
From plaintiff	0 13 6		
From defendant	0 13 6		
		1 7 0	1834—*allowed* £1. 1*s.* 8*d.*, *as in* 1779.

GROSS FEES and EMOLUMENTS received by the CLERKS OF ASSIZE in 1835, with the Average Receipts and Disbursements for the Ten Years preceding 1831, and the Amounts of Compensation awarded to the then Officers respectively.

Circuits.	Gross Fees and Emoluments received in 1835.	Average Receipts of Fees for Ten Years preceding 1831.	Average Disbursements for Ten Years preceding 1831.	Amount of Compensation awarded to Clerks of Assize.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Home	1,101 9 2	2,528 13 9	1,871 16 10	656 16 11
Midland	1,607 16 4	2,096 10 4	1,293 17 5	802 12 11
Norfolk	1,156 16 6	1,081 0 2	348 9 0	732 11 2
Northern	1,019 10 0	1,286 14 6	765 3 0	521 11 6
Oxford	1,610 4 10	1,797 2 9	716 19 7	1,080 3 2
Western	1,618 18 0	2,309 11 7	935 7 6	1,374 4 1
Total . . .	8,114 14 10	11,099 13 1	5,931 13 4	5,167 19 9

TABLE OF FEES

Proposed by the COUNTY RATE COMMISSIONERS for CLERKS OF ASSIZE, CLERKS OF INDICTMENTS, and ASSOCIATES, IN ENGLAND.

No additional Fees to be taken in respect of number of Parties, or Names, or number of Counts; nor double Fees to be in any case taken. Every excess of Fee beyond what is authorized by the Table to incur a Penalty of £5. N.B. The Table extends to Counties Palatine.

AS CLERK OF ASSIZE.

	£.	s.	d.
1. For preparing the precepts, making out the various process upon all the outstanding indictments, previous to the circuit, for each circuit, to be paid by each county	2	2	0
2. The like for each city or town	1	1	0
3. For preparing the circuit letters and obtaining the Secretary of State's letters thereon, and for preparing the estreat, with copies for the Lords of the Treasury, for the Commissioners for Auditing the Public Accounts, and for the Court of Exchequer, for attending to depose thereto, and for making and entering abstracts of all outstanding indictments, both in felony and misdemeanor, for each circuit, to be paid by each county	2	2	0
4. The like for each city or town	1	1	0
5. For recording the appearance of every defendant in misdemeanor, not in custody, or being a case of fraud, each defendant	0	5	4
6. Office copy of every indictment or information, not exceeding five sheets	0	3	6
Every folio exceeding five sheets	0	0	4
7. Copy of any other document, per folio	0	0	4
8. Order for restitution, when the value of the property amounts to 5*l.*, and in cases specially ordered by the court	0	5	0
Every other order, except as after mentioned	0	5	0
9. Every order for compensation in lieu of rewards for apprehending prisoners	0	5	0
10. Every order on treasurer of county for costs to prosecutor	0	1	0
The like to each witness	0	0	6
11. For every order of transportation	0	5	0
For every copy to be sent with the prisoner	0	2	6
12. For every order to hard labour in the House of Correction	0	5	0
13. Taking and entering, respiting, or discharging every recognizance of a prosecutor or defendant in misdemeanor	0	5	6
14. Calling proclamation on a road traverse	0	5	0
15. Drawing and engrossing every record of a traverse in the case of a road, for each folio of 72 words	0	1	0
16. For each copy thereof, per folio	0	0	4
17. For examining and signing copy thereof	0	3	4
18. Drawing and engrossing record of conviction or acquittal, when required, per folio	0	1	0
19. For copy thereof, when required, per folio	0	0	4
20. Examining and signing copy thereof	0	3	4
21. Recording bill of indictment returned ignored	0	3	4
22. Every subpœna	0	3	0
23. Every subpœna ticket (if required)	0	0	6
24. Every writ or process, except subpœna	0	5	0
25. Every juror openly challenged, or ticket drawn of a juror intended to be challenged by a prosecutor	0	2	0
26. Drawing and engrossing return of every certiorari, whatever may be the length, searching for indictment, allowance of writ, and attending thereon	2	2	0
27. For every certificate (when required) of indictment found or not found	0	4	0
28. For every certificate of a former conviction or of a constat (when required)	0	6	8
29. For a transcript from an indictment or certificate of former conviction, in order to convict a felon of being at large before the expiration of the term of transportation	0	6	8
30. For a certificate to the gaoler of all the prisoners acquitted or discharged at an assize, to be paid by the gaoler	0	6	8
31. For every immediate search for an indictment, or other matter, for each assize to which the search extends	0	1	0
32. For reading every exhibit or documentary evidence	0	1	0
33. For reading and filing an indictment, arraigning prisoner, and charging jury	0	2	0
34. For filing and entering certificate of nuisance being abated	0	5	0

	£.	*s.*	*d.*
35. For filing and entering recognizances returned to the assizes, each, to be paid by the party in misdemeanor, and in felony by the county	0	1	0
36. Abstract of indictment for Judge in each prosecution (when necessary)	0	2	0
37. For discharging an indictment against a defendant in misdemeanor, or parish, to be paid by defendant	0	6	8
38. Quashing an indictment or inquisition, to be paid by the county	0	6	8
39. Sheriff's calendar (sheriff of county)	2	2	0
40. Do. do. (for the sheriff of a city or town)	1	1	0
41. Every gaoler's calendar	0	12	6
42. The clerk of assize's bailiff attending the prosecutor and witnesses, and carrying the bills from the clerk of indictments to the court, getting them sworn thereto, and carrying same to grand jury	0	1	0

As Clerk of Indictments.

1. Each common indictment for felony	0	3	0
2. Indictments for capital offences, except for high treason, murder, and such forgeries as remain capital	0	6	0
3. For each folio of 72 words, beyond 6, of the excepted indictments	0	1	0
4. Indictments for roads, misdemeanor, nuisance, not exceeding seven folios	0	7	0
5. For each folio beyond seven	0	1	0
6. Every other indictment, per folio	0	1	0
7. Copy of every other document, when required, per folio	0	0	4
8. Examining and signing same	0	3	4

As Associate, Nisi Prius Side.

1. For entry of every cause	0	2	6
2. For every prayer of tales (special jury)	0	4	0
3. For every juror openly challenged, or ticket drawn of a juror intended to be challenged	0	2	0
4. For every challenge to the array	0	4	0
5. Reading and filing the Attorney General's warrant to pray a tales	0	4	0
6. For recording the proclamation in a Crown Office record	0	4	0
7. For a general or special verdict, or nonsuit, cause defended or undefended, or juror withdrawn, from each party who appears—postea to be drawn by the parties	0	15	0
8. Extra for a cause when it lasts more than one day—for each day, to be paid by each party	1	1	0
9. For the acquittal of every defendant after the first	0	2	0
10. For every verdict taken out of court, to be paid by the successful party	0	10	0
11. Drawing and engrossing every special endorsement of record amended, of examination of a witness, or other matter, and for amending record in court, (when required)	0	2	0
12. For marking the panel upon default in ejectment	0	2	0
13. For endorsing what is found upon an issue out of Chancery	0	2	0
14. For any remanet	0	4	0
15. For reading every evidence or exhibit, and marking it	0	2	0
16. For filing an affidavit	0	2	0
17. For every certificate on the back of the record	0	6	0
18. Making minute for postea to correspond with the award or certificate of arbitrator, rule of court, or order of Judge, or finding in special case or special verdict	0	6	8
19. For attending any of the courts at Westminster Hall, or a Judge on summons, with a postea on a motion in arrest of judgment, for each attendance	0	6	8
20. For drawing, entering, and making two fair copies of order of Nisi Prius, 6*s.* each	0	12	0
21. For taxing a bill of costs, or amount of expenses of a witness, when required	0	2	0
22. For office copy of any document, when required, per folio	0	0	8

.BLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in ngland and Wales, the Grounds of Exemption, &c.; from the Town Clerks' Returns to this Commission, and from other Sources.

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
NGLESEA .	BEAUMARIS (Borough and Liberties of)	Exclusive jurisdiction under charter granted by King Edward I., and confirmed lastly by Queen Elizabeth, which absolutely excludes the officers of the county in all cases; and because the borough and liberties never contributed to the county rate in the county of Anglesea.—*Vide Extract of Charter.*	The county gaol is situated in the borough; and, by a contract between the justices of the county and borough, prisoners for offences committed within the borough are sent to the county gaol.
EDFORD-SHIRE.	BEDFORD .	Separate jurisdiction, but not exclusive of the county magistrates. A separate rate is made for the town of Bedford by the magistrates at sessions; it varies from 3*d.* to 1*s.* in the pound: out of it the expenses of prosecutions at the town sessions are defrayed, and the maintenance of prisoners in the gaol and new House of Correction; and the town of Bedford brings no charge upon the county rate.	The old borough gaol has been pulled down; prisoners are committed by the borough magistrates to the county gaol and House of Correction.
ERKS . .	ABINGDON .	"Exclusive jurisdiction over felonies and misdemeanors."—*Munic. Rep.*	"There is an old gaol, chiefly used as a place of confinement before final commitment. The corporation purchased the privilege of committing to the county Bridewell by a grant of the land on which the Bridewell is erected. The borough prisoners, however, are supported out of the borough rate."—1 *Mun. Rep.* 5.
	READING . .	"Exclusive jurisdiction over felonies and misdemeanors."—*Munic. Rep.*	"There is a gaol under the superintendence of the mayor and borough magistrates. The building being small and confined, an arrangement has been made with the authorities of the county gaol, in consequence of which the borough gaol is now only used for debtors, and for the safe custody of offenders previous to commitment."—1 *Munic. Rep.* 115.
	WALLINGFORD read WINDSOR	"Jurisdiction over felonies and misdemeanors, *not* exclusive."—*Munic. Rep.* Jurisdiction (Windsor) same as county sessions—exclusive. The above three places claim exemption "on the ground of exclusive jurisdiction."—*Report on County Rate Expenditure*, 1825. "But this return is inaccurate: for Wallingford substitute Windsor; Abingdon, Reading, and Windsor being the only towns which do not contribute to the county rate."—*Treasurer's Return to County Rate Commissioners*, 1835.	"There is a gaol for the confinement of offenders before commitment, and a debtors' ward; but no debtor has been confined for the last forty years. Prisoners under sentence are transmitted to the county gaol."—*Id.* "Windsor has a good modern gaol."—*Id.* There are also two borough gaols, viz., at Maidenhead and at Newbury.
BRECKNOCK	BRECON (Borough)	In the borough of Brecon a rate is raised in the nature of a county rate upon the three parishes in the borough, by which all expenses of prosecutions, bridges, bridge roads, and other like expenses payable out of the county rate are liquidated; it is therefore on that account considered exempt from the county rate. The claim rests upon long practice, and the exclusive jurisdiction of a court of quarter sessions held for the borough, at which all prisoners for felonies, misdemeanors, and assaults committed within the borough are tried, and which was established by a charter granted by King Philip and Queen Mary to the borough in the 2d and 3d years of their reign. The officers of the county, at their quarter sessions, try appeals from orders of removal, but do not in any other way interfere with the jurisdiction.	A borough gaol used for debtors, and as a lock-up house for disorderly persons until they be sent, after commitment, to the county gaol.
BUCKS . .	BUCKINGHAM	"The jurisdiction is not exclusive."—1 *Munic. Rep.* 29. The order for the expenses of assize prosecutions is made by the clerk of assize directly upon the treasurer of the borough, or overseer of the poor if there be no treasurer, for both Buckingham and Wycombe.	"The borough gaol, though a capacious building, is little used."—*Munic. Rep.*
	CHIPPING-WYCOMBE	"The jurisdiction is not exclusive of the county magistrates."—1 *Munic. Rep.* 43. "The above two boroughs have not ever, as appears by our books, contributed to the county rates, (except as to payments for militiamen's families under the Militia Acts,) and this exemption is recognised in the Local Act of 54 Geo. III., for making a fair and equal county rate for the county of Buckingham. I have no document in my office showing the grounds of their exemption, but it is supposed that their respective charters grant them this privilege. It is said that they repair their bridges, gaols, and town halls respectively."—*Return for Bucks. Rep.* 1825. "Previous to 1829 a rate, in the nature of a county rate, was made in the borough of Chipping-Wycombe, to defray the expenses of police and maintenance of borough offenders. The overseers at length disputed the right, and refused payment. In 1831 the county claimed a concurrent jurisdiction, and levied a county rate; since which period the borough magistrates have committed, in all cases, to the county gaol, and made orders on the treasurer for expenses of conveyance, and for preliminary proceedings in cases of felony within the borough."—*Return of Town Clerk to County Rate Commissioners*, 1835.	"There is a good lock-up house to which offenders are consigned previous to examination before the magistrates."—*Munic. Rep.* "The police is very insufficient for the protection of the town."—*Id.*
CAMBRIDGE-SHIRE.	CAMBRIDGE	On the ground of exclusive jurisdiction. A town rate, in the nature of a county rate, is made by the magistrates at each quarter sessions; it varies in amount, being sometimes 1½*d.* and sometimes 1¾*d.* in the pound. "It appears by their charter that the University can claim cognisance of all crimes committed by their own members."	A large new gaol.

TABLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
CAMBRIDGESHIRE (*continued*).	ELY (Isle of) .	As being a royal franchise raising a rate of its own, "a special rate is raised for the Isle under Act 1 Geo. IV., out of which a new sessions' house and House of Correction were erected."—*Rep.* 1825.	There are cages or lock-up places in the towns of Ely, Wisbech, Chatteris, March, and Whittlesey, used for safe custody till commitment, when prisoners are sent to the gaol at Ely, or to the House of Correction at Ely or Wisbech. "The Lord Bishop of Ely (the Lord of the franchise) is at the sole expense of building the gaol and of the general repairs of it; and he also pays the keeper's salary."—*Return of County Rates*, 1833, p. 26.
CARMARTHENSHIRE.	KIDWELLY (Borough)	Charter granted in the 16th year of the reign of King James I., under the great seal of England, under which the borough has an exclusive jurisdiction, which is absolute and to all purposes excludes the officers of the county.—*Vide* non-intromittent clause of Charter.	A common gaol for persons charged with misdemeanors and inferior offences, for which they are tried at the general quarter sessions of the peace holden in and for the borough.
CHESTER .	(City) . . .	County of itself, with rate of its own. Exclusive jurisdiction.	Gaol admirably regulated.
CORNWALL .	BODMIN (Borough of)	"Jurisdiction over all offences not touching life or member."—*Munic. Rep.*	The gaol consists of a single room, which is only used for vagrants, disorderly persons, and offenders committed for examination.
	FALMOUTH (Town of)	"The same."—*Id.*	A neat and convenient building.
	FOWEY (Borough and Parish of)	"Charter forfeited in 1826."—*Id.* "The fifteen places enumerated are separate jurisdictions incorporated by charters and governed by magistrates of their own, created by such charters respectively."—*Report*, 1825.	
	GRAMPOUND	Because, when a person is committed from the borough of Grampound to the county gaol or bridewell, the borough of Grampound supports that person there.	A prison where persons charged with trivial offences or disorderly conduct are imprisoned.
	HELSTON .	"Jurisdiction over all cases not extending to life and limb."—*Munic. Rep.* "There is an express power given to the borough magistrates of committing to the county gaol."—*Id.*	The gaol consists of a single room under the same roof as the workhouse. The corporation state their intention of building a new gaol as soon as a proper site can be obtained.
	LAUNCESTON	"Exclusive jurisdiction over all cases not extending to life and limb."—*M.R.*	Gaol quite unfit for the abode of any description of persons.
	LOOE, EAST .	"Exclusive jurisdiction."—*Munic. Rep.*	An outer room with three small cells.
	LOOE, WEST .	"No jurisdiction."—*Munic. Rep.*	Two cells, fit to be used as a lock-up house.
	LOSTWITHIEL	"Exclusive jurisdiction."—*Munic. Rep.*	Very bad.
	PENRYN . .	"Not exclusive: power to try all offences not touching life or limb."—*Munic. Rep.*	Very small gaol, consisting of two apartments on the staircase of the town hall.
	PENZANCE .	"Exclusive: power to try all offences not touching life or limb."—*Mu. Rep.*	A sufficient gaol.
	SALTASH .	"Exclusive: power to try all offences not touching life or limb."—*Mu. Rep.* There is no district rate, or rate of a municipal nature, in the nature of a county rate. The serjeants at mace, constables, and other officers are paid out of the funds of the corporation.	A miserable gaol.
	ST. IVES . .	"Exclusive jurisdiction exercised over misdemeanors only. In cases of felony the magistrates commit to the county gaol at Bodmin, distant 48 miles."—*Munic. Rep.*	A small gaol recently constructed; it consists of two apartments or cells on the staircase of the town hall.
	TREGONY (Borough)	Charter conferring exclusive jurisdiction. *N. B. The town clerk refused further information without he received remuneration.*	A gaol to which all prisoners tried in the borough are committed.
	TRURO . .	"Only a court leet."—*Munic. Rep.* "All the foregoing places bring charges on the county, inasmuch as in cases of felony, where by the charters such separate jurisdictions have no power of holding a session or trying felonies, all felons are committed for trial to the gaol of the county, and all prisoners for trial at the assizes are also so committed; and in very few instances have the costs of the maintenance of such prisoners in gaol been repaid by the separate jurisdictions. No such separate jurisdiction is under any contract with the county for the maintenance of their prisoners."—*Edward Coode, Treasurer for the County of Cornwall.*	A commodious gaol.
	LISKEARD .	"In addition to the places named in the return as not contributing to the county rate, there is another place, viz. Liskeard, which possesses a separate jurisdiction. This place contributes to the county rate according to a valuation of the county made at a very remote period. I have searched the county accounts for the last twenty years, and find that none of the other separate jurisdictions have contributed anything towards the charges they have brought on the county, except Fowey, for the subsistence of prisoners from 1828 to 1833, £5 13*s.*, and Helston for the year 1833 £31 14*s.* The principle of these payments was the computed amount of the actual costs of maintenance of prisoners committed from those places. I do not believe that any rate in the nature of a county rate has been made for either of the sixteen places, but that all expenses and prosecutions have been paid out of the poor rates for those places respectively."—*Edward Coode, Treasurer for the County of Cornwall.*	Only a single room.

BLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
ERBYSHIRE	DERBY . .	Exclusive jurisdiction. A borough rate;—brings no charge upon the county.	Common gaol of the county and House of Correction form one prison at Derby, and there is one governor for both.
EVONSHIRE	BARNSTAPLE	Exclusive jurisdiction over all offences not touching life or member.	A substantial and convenient gaol.
	BIDEFORD (Town, Borough, and Manor)	Upon the authority of charters granted by Queen Elizabeth and King James I. The borough was incorporated by the charter of Queen Elizabeth, and by the charter of King James I. The justices have power to inquire of all felonies and misdemeanors done and committed within the borough, so that they in no wise proceed to the determination of any offence touching the loss of life or members; and it is granted by King James's charter that the justices of the peace of the county of Devon, or any one or more of them, shall not in any way intrude himself or themselves to exercise or execute anything within the town, borough, and manor of Bideford, which appertained to the office of justices of the peace. On this ground, and as there are quarter sessions held regularly within the borough, at which felonies and other misdemeanors committed within the same are tried, and the expenses of which are defrayed out of the borough rate, and the borough never having contributed to any county rate, the borough claims to be exempted from contributing thereto.	A gaol for prisoners charged with offences not capital; and these prisoners are tried at the quarter sessions for the borough.
	BRADNINCH (Borough and Parish)	A borough by prescription, wholly governed by its own magistrates, and independent of the county of Devon. It was first incorporated during the reign of King Henry I., and annexed to the Earldom of Cornwall, and still remains an appendage to the Duchy of Cornwall, subject to a fee-farm rent of £7. 4*s.* 7*d.*, which is annually paid by the mayor of the borough at the Duchy audit. The borough and parish have been time immemorial exempt from contributing to the county rate payable in the county of Devon; all charges and expenses required for building or repairing the bridges, guildhall, and prison within the borough and parish, and every other incidental expense relating to the borough, are borne and paid from and out of the fund raised in the nature of a county rate within the borough and parish. The borough has also a charter of incorporation granted in the 2d year of the reign of King James I., ratifying and confirming unto the mayor and burgesses and their successors, all their courts of record, customs, liberties, privileges, franchises, jurisdictions, &c., which the mayor and burgesses of the borough have heretofore had, held, used, or enjoyed, or ought to have had, held, used, or enjoyed, to them and their successors for ever, by hereditary estate, or by reason of any charters or letters patent in any manner heretofore made, granted, or confirmed by any progenitor or ancestor of his said Majesty, or any other person or persons whomsoever. No officers of the county have any power to act within the borough or parish, nor ever assumed to claim or to make any assessment on the inhabitants of the borough and parish towards the rate of the county of Devon.	A gaol to which prisoners charged with any offences, except capital, are committed, and tried at the quarter sessions before the recorder and justices of the borough.
	CLIFTON DARTMOUTH HARDNESS	Having exclusive jurisdiction, supporting its own gaol and prison, and holding regular quarter sessions.	A modern gaol.
	HACCOMBE .	*No return.*	
	OKEHAMPTON	By a charter of King Charles II. exclusive jurisdiction is conferred upon this borough, and the borough maintains its own gaol and bridges.	There is a gaol, but it is unfit for the confinement of prisoners for any length of time, and prisoners are usually committed to the county gaol.
	PLYMOUTH (Borough)	Under clauses conferring exclusive jurisdiction in different charters granted to the mayor and commonalty:—*vide* extracts from two of the principal, 18 Hen. VI. and 43 Eliz., sent. This exclusive jurisdiction is in practice maintained absolutely, so as to exclude the officers of the county in all cases except writs of inquiry and issues directed to the sheriff from any of the superior courts, and such jurisdiction is held to constitute an exemption from county rates according to the terms of the proviso in the County Rate Act, (Statute 55 Geo. III. c. 51 sec. 1,) which exempts places within the limits of liberties or franchises, having a separate jurisdiction, from the operation of that Act.	A gaol called the borough gaol, to which prisoners charged with larcenies and misdemeanors are committed for trial at the borough sessions.
	SOUTH MOLTON (Borough)	In consequence of maintaining its own prison and highways, and not upon the provisions of any charter or Act of Parliament.	A gaol for prisoners charged with felonies not capital and misdemeanors, who are tried for those offences at the borough sessions.
	TIVERTON (Town and Parish)	Charter of incorporation granted by King George I. in the eleventh year of his reign to the inhabitants of Tiverton. The clause in the charter conferring exclusive jurisdiction is as follows: "Moreover we will by these presents for us, our heirs, and successors, grant to the said mayor and burgesses of the said town and parish aforesaid and their successors, that no justice of the peace of us, our heirs, or successors, within the aforesaid county of Devon, shall in any wise enter into or intermeddle to do or execute anything within the town and parish aforesaid, or the liberties or precincts of the same, which the justices of the peace of the town and parish aforesaid, by virtue of these our letters patent, can or ought to do and execute."—*Vide* proviso excepting matters relating to the King's revenue.	A gaol, or rather house of correction, for prisoners charged with felonies or misdemeanors, or on summary convictions, but not with any offences touching the loss of life or members.

TABLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
DEVONSHIRE (*continued*).	TORRINGTON, GREAT	Exclusive jurisdiction granted by charters—*vide* extracts sent. This jurisdiction is absolute and to all purposes, so as to exclude the officers of the county in all cases. The principle on which the exclusive jurisdiction so claimed is held to constitute an exemption from the county rate is, that the borough pays all expenses of prosecutions of felons, &c.; and no charges whatever are brought on the county fund.	There are five cells fitted up in the parish workhouse, which are found sufficient for all purposes of a common gaol for prisoners charged with felonies or misdemeanors, to the determination of which the charters extend.
DORSET . .	POOLE (Town and County)	County of itself, with rate of its own. Exclusive jurisdiction.	A sufficient gaol.
DURHAM (County of)	CRAIKE . .	A detached part of the county, paying county rates to the North Riding of Yorkshire; brings charges on the Durham county rate for all the ends of justice.	There are lock-up houses in most villages in the county of Durham.
ESSEX . . .	BRIGHTLINGSEA	As being attached to Sandwich, one of the cinque ports, which has exclusive jurisdiction extending over capital cases.	
	COLCHESTER (Borough)	Exclusive jurisdiction granted by charter, containing absolute and non-intromittent clauses. There are no cases in which the officers of the county have power to act in the borough.	A common gaol for the confinement of prisoners for all classes of offences, except capital felonies.
	HARWICH (Borough)	Charter dated 18th April, 2 James I., whereby all ancient privileges, &c. of the borough were renewed and confirmed, and the body corporate established by the name of the mayor and burgesses. The charter grants power to the borough officers to keep the peace within the borough, and to hold courts for the trial of prisoners, except for matters touching the loss of life or member, and excludes the officers of the county from interfering.—*Vide Extracts of Charter.*	There is a gaol, but the borough sends prisoners to the gaol of the county of Essex generally for all offences.
	HAVERING-ATTE-BOWER (Liberty)	By charter.—*Vide same.* The liberty consists of three parishes, Hornchurch, Romford, and Havering, and is an ancient demesne of the Crown of England.	A gaol at Romford, but, as it is inadequate, prisoners for trial within the liberty are sent to the county House of Correction at Little Ilford, upon payment to the county of 1*s.* 4*d.* per head per day.
	MALDON . .	"Exclusive jurisdiction."—*Report,* 1825.	Two rooms.
	SAFFRON-WALDEN	"By charter."—*Report,* 1825.	
GLOUCESTERSHIRE	TEWKESBURY	Exclusive jurisdiction, conferred by charter of William III., dated 13th July, 1698. The town clerk observes,—"The charter is in Latin. I have no copy of it. The translation in common use is the one appended to the History of Tewkesbury, and which has always been received as a literal and good translation, and on one or two occasions has been tested with the original by a competent person."	A gaol for the confinement of prisoners charged with all offences not capital.
	GLOUCESTER (City and County)	A county of itself, with rate of its own. Exclusive jurisdiction.	Inadequate gaol.
HANTS . .	ANDOVER (Borough)	"Charter of 41 Elizabeth, granting an exclusive jurisdiction to the borough justices to act in the borough, and excluding the county justices from any jurisdiction over any matters within the borough."—*Vide Extract of Charter.*	A common gaol for the reception of prisoners for offences committed within the borough.
	NEWPORT .	Exclusive jurisdiction.	A gaol for prisoners charged with all offences, but prisoners charged with capital offences are immediately transferred to Winchester.
	PORTSMOUTH (Borough)	"A borough by prescription and by charter. The governing charter was granted by Charles I., in the 3rd year of his reign, whereby the inhabitants were incorporated by the name of the 'Mayor, Aldermen, and Burgesses of the Borough of Portsmouth,' and the following powers and immunities are granted and confirmed to them:—The mayor, recorder, three aldermen, and the ex-mayor to be justices of the peace, to hear and determine all felonies and offences as fully as the county justices, except treason, murder, felony, or other matter touching the loss of life or limb. No justice of the county to interfere in the borough. To have a prison. The borough justices to arrest traitors, murderers, &c., and to commit to the county gaol, to be tried before the justices of *Oyer and Terminer.* The burgesses and inhabitants to be exempt from toll, &c., and from serving on juries, &c., out of the borough. "The jurisdiction exercised by the borough authorities from time immemorial has been an exclusive jurisdiction. The magistrates of the county do not act as to any offences or matters committed or arising within it, nor are their warrants executed within the borough by their officers for offences committed elsewhere in the county, unless the warrant is endorsed by a borough magistrate. "The principle on which Portsmouth is entitled to be exempt from county rate appears to be this, that, as a borough, it is at the sole expense of maintaining its own criminal jurisdiction, and brings no charges upon the county."—*Vide Extract of Charter.*	A common gaol, with a House of Correction under the regulations of the Gaol Act, 4 Geo. IV., c. 64, which includes Portsmouth. All the prisoners for trial at the borough sessions are confined to this gaol, and such as are sentenced to imprisonment are committed to it for punishment.
	WINCHESTER (Borough)	"Under the authority of the charter granted by Queen Elizabeth in the 30th year of her reign."—*Vide Extract of Charter.*	A common gaol and Bridewell, to which all prisoners committing offences are committed, and for which offences (excepting capital offences) they are tried at the borough sessions.
	SOUTHAMPTON (Town and County of the Town)	By charter granted in the 25th year of King Henry VI., the town and precincts of Southampton are made a distinct county. This charter has been confirmed by various subsequent charters, and lastly by a charter of 16 Charles I., which "grants and confirms to the mayor, bailiffs, and inhabitants that the town, with its suburbs and precincts, shall be one entire county corporate, in fact and in name distinct and altogether separate from the county of Hants."—*Vide Extract.* By other clauses in this charter the town is to have a sheriff chosen by the burgesses. He is to hold a county court, and no other sheriff shall enter the town and liberties.	There are two gaols, one a common gaol and the other a Bridewell or House of Correction.

BLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
EREFORD-SHIRE	HEREFORD (City)	"Charter of King William III., granting to the city an exclusive jurisdiction."—*Vide Extracts.*	A gaol for prisoners charged with any offences within the city magistrates' jurisdiction.
	LEOMINSTER (Borough)	Maintains its own bridges; all other charges fall upon the county. "The borough of Leominster is rated at a different proportion in the pound from the other parts of the county."—*Return relating to County Rates*, 1832.	Two rooms on the criminal side.
ERTFORD-SHIRE	ST. ALBAN'S (Borough and Liberty)	By charter. Borough has exclusive jurisdiction, the same as county sessions.	"A gaol of the liberty of St. Alban's to which the borough commits, sharing in its support."—*Munic. Rep.*
UNTINGDON-SHIRE	HUNTINGDON	*Return refused without payment*, 1835. "The borough of Huntingdon is an ancient borough by charter, and does not contribute to the county rate. It has a separate jurisdiction. The inhabitants have, from the earliest time, levied upon themselves a distinct and separate rate, in the form and nature of a county rate, for the maintenance of the police, and for defraying all expenses within the said borough to which a county rate would be applicable."—*Report*, 1825.	A small gaol.
ENT . . .	DEAL (Town and Port)	Exclusive jurisdiction under charter 11 William III. "A rate in the nature of a county rate, levied occasionally at intervals of little less than two years, out of which the expenses of prosecutions and maintenance of prisoners, &c., are paid."—*Munic. Rep.*	Two rooms.
	DOVER . .	Exclusive jurisdiction arising under the general charters of the cinque ports, which is in every respect absolute, so as to exclude all county officers. It extends over Margate, St. Peter's, Birchington, and the Vill of Wood in the Isle of Thanet, and Ringwould, near Deal.	A gaol and house of correction for all offences which are tried in the town.
	FAVERSHAM	Exclusive jurisdiction extending to capital cases. A liberty rate, in the nature of a county rate.	Four rooms.
	FOLKSTONE.	A member of the town and port of Dover, one of the cinque ports, and as such, by virtue of the several charters granted to the cinque ports, and immemorial usage, possesses all the jurisdiction of a separate county at large. A charter of Edward I., dated the 17th June, in the sixth year of his reign, grants to the ports and their members, among other privileges, "that they be quit of shires and hundreds;" and a charter of Charles II. (dated 23d December, in the twentieth year of his reign), in which all the previous charters are set out, confirms the same, and, after granting anew divers privileges (among the rest, to assess reasonable taxes and scots upon themselves), contains a non-intromittent clause, as to the county justices, the King's justices of oyer and terminer, the sheriff, under-sheriff, coroner, escheator, and any other officer of the Crown of the counties of Kent, Sussex, or Essex."—*Vide Second Part of Report on Municipal Corporations*, p. 921.	A common gaol for prisoners of all descriptions.
	FORDWICH .	Exclusive jurisdiction extends to capital felonies.	A small cell under the Guildhall.
	HYTHE . .	Exclusive jurisdiction extends to all offences. A borough rate.	A small gaol.
	LYDD (Town) .	"As being a member of the town and port of New Romney, one of the cinque ports, and under the general charters granted to them and their members, and confirmed by Charles II."—*Vide Extracts.*	A lock-up; commit to county gaol.
	MAIDSTONE .	Exclusive jurisdiction over all trespasses and misdemeanors arising within the town and parish. A borough rate.	There is no borough gaol. An agreement has been made between the justices for the county and for the borough, under which the latter commit all their prisoners to the county gaol. They pay 1s. a-day for the maintenance of each of their prisoners confined there, which expense is defrayed out of the borough rate. The agreement has existed for seven or eight years, before which time there was a place of confinement within the borough.
	QUEENBOROUGH (Borough)	"Exclusive jurisdiction in all cases except the trial of any offence amounting to felony. No officers of the county interfere, save only in the single case of the county coroner, the borough having no coroner of its own. The exemption is founded upon the governing charter of Charles I., and a uniform usage or custom that the borough should not contribute to the county rates."—*Vide Charter.*	None.
	ROCHESTER (City)	"Exclusive jurisdiction granted by charter 5 Charles I. The exclusive jurisdiction extends to felonies and misdemeanors generally. It is absolute and to all purposes, and excludes the officers of the county in all cases. The exclusive jurisdiction constitutes an exemption from the county rates of the county of Kent, because the exercise of such jurisdiction is without, and the county are excluded by the charter from the exercise of any jurisdiction within the city."—*Vide Charter.*	A gaol to which prisoners charged with offences of whatever character are committed.
	NEW ROMNEY (Town and Port)	"As being one of the cinque ports, and under the general charters granted to them, and confirmed by Charles II."—*Vide Extracts.*	A gaol, but now only used as a lock-up house, prisoners being sent to the county gaol at Maidstone, under a contract entered into pursuant to 5 Geo. IV. c. 85.

TABLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued*.

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
KENT (*continued*)	ROMNEY MARSH (Liberty)	"Charter granted by Edward IV., confirmed by subsequent kings, and lastly by James I."—*Vide Extracts.*	A gaol consisting of four wards, one work-room, two day-rooms, and one airing-yard, for prisoners charged with all offences.
	SLEAFORD (Town and Port)	As being a member of the port of Hastings, one of the cinque ports under the general charter of 20 Charles II.	A gaol capable of containing two prisoners only.
	TENTERDEN (Town and Hundred)	"By charter granting to the town and hundred an exclusive jurisdiction. The town levies a hundred assessment in the nature of a county rate, and pays the expenses of prosecutions which take place at the assizes of the Tenterden sessions in respect of offences committed within the jurisdiction."—*Vide Extract.*	A common gaol for prisoners committed for safe custody as to all offences, and for prisoners committed in execution as to minor offences, such as petty larcenies and misdemeanors.
	CANTERBURY (City & County)	"It is a city and county of itself, so constituted by charter of 1 Edw. IV."—*Vide Extract.*	A gaol for prisoners charged with all offences, whether capital or otherwise.
	White Friars Black Friars Grey Friars Poor Priests' Hospital.	Extra-parochial places. Dissolved monasteries.	
	GRAVESEND	Commit to county gaol under charter.	
LANCASHIRE	PRESTON (Borough)	Is exempt from the county rate *for bridges*. The exemption is prescriptive, and supposed to be in consideration of a small bridge within the borough being repaired by the mayor, bailiffs, and burgesses of Preston. To all other county rates Preston contributes according to its annual value.	None for the borough. The magistrates use part of the county House of Correction, which is within the borough. There is a commodious lock-up house.
LINCOLNSHIRE	BOSTON . .	"Jurisdiction not exclusive."—*Munic. Rep.* "Having a special jurisdiction granted by charter."—*Report on County Rate Expenditure*, 1825. "A separate jurisdiction, and does not contribute to the county rate, having a separate rate."—*Treasurer's Return*, 1835. "The borough gaoler conveys assize prisoners to Lincoln at the expense of the borough, and a charge is made by the gaol sessions for subsistence and conveying any transports upon the borough treasurer."—*Id.*	A borough gaol.
	GRANTHAM (Borough and Soke of)	Jurisdiction exclusive, extends over the borough and soke. Has a soke rate and a borough rate.	A borough gaol.
	GREAT GRIMSBY	Jurisdiction is not exclusive. A borough rate in the nature of a county rate is made by the magistrates in sessions. The average sum annually raised is said to be about £50, of which about half is expended for the maintenance of prisoners, gaoler's salary, and other matters incident to the gaol. "Great Grimsby claims of the county treasurer the expenses of assize prosecutions, but not of sessions prosecutions. Nothing is received by the treasurer from Great Grimsby."—*Treasurer's Return.*	A gaol.
	STAMFORD .	Exclusive jurisdiction over all offences committed within the limits. "The borough of Stamford and the borough and soke of Grantham commit their felons to the county gaol, and do not contribute anything to its support."—*Report on County Expenditure*, 1825.	A sufficient gaol.
	LINCOLN . (City and County)	County of itself, with rate of its own. Exclusive jurisdiction.	A gaol inadequate to its purpose.
MIDDLESEX	The Liberty of the Tower Within	"Claims to be exempt as being a military fortress, under the government of an officer appointed by the King, and as having an exclusive commission of the peace."—*Report on Expenditure of County Rate*, 1825. "The precinct of the Tower Within, comprising only the garrison of the Tower of London, is extra-parochial, and not subject to poor rates."—*Return*, 1835.	
	The Liberty of the Tower Without The Parish of Trinity, Minories The Liberty of the Old Artillery Ground	"These claimed to be exempt, as having a separate commission of the peace, with a non-intromittent clause."—*Report on Expenditure of County Rates.* Prior to the year 1830 no charge was made by the magistrates for a county rate, nor did the precinct pay anything for the prosecution of criminals. It has since paid annually the following sums:—1830, £9. 12*s.* 1*d.*; 1831, £10. 2*s.* 7*d.*; 1832, £9. 15*s.* 3*d.*; 1833, £9. 15*s.* 2½*d.*	
	The Society of the Middle Temple	Is extra-parochial. "Claims to be exempt by prescription."—*Report*, 1825.	
	The Society of Furnival's Inn	The amount at which the inn is assessed is paid by the person who holds the property on lease from Lincoln's Inn.	
MONMOUTHSHIRE	MONMOUTH	"On the grounds that the inhabitants repair and maintain their own bridges and their own prison, and prosecute at their own expense persons charged with the commission of crimes committed within the borough."—*Report on Expenditure of County Rates*, 1825.	Commit to the county gaol.
	USK (Parish) .	The parish of Usk, comprising (*inter alia*) the borough, does not claim to be exempt from contributing to the county rate, but is by agreement partially exempt in consideration of repairing its own bridge.	None.

TABLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
ORFOLK .	KING'S LYNN (Borough)	By prescription and charter. In the charter granted 29 Henry VIII. is contained the following clause:—"So that all keepers of the peace of us, our heirs, or our successors in the county aforesaid, or other justices of us, our heirs, or successors, in the said burgh or any part of the same, to do anything which to the keepers of our peace, our heirs, or successors, or to other such justices there doth belong, may not enter nor intermeddle there, or there exercise any jurisdiction, authority, or power." And in the charter granted by Philip and Mary:—"And that no sheriff of the said county of Norfolk, or any minister of us, the heirs or successors of us, the aforesaid Queen, may enter at any time hereafter into the aforesaid parishes and hamlets of Lynn, or into any of them, or any parcel of them, or in any wise intermeddle there any other way than the same sheriff of Norfolk for the time being into the aforesaid borough of King's Lynn hath been accustomed to enter, or doth or ought to intermeddle there before the date of these letters patent."	A gaol used as a felon's prison; house of correction and prison for borough debtors.
	THETFORD .	"Exempt jurisdiction, established by charter, and governed by their own magistrates."—*Report*, 1825. "Exclusive jurisdiction."—*Munic. Rep.*	A large gaol.
	GREAT YARMOUTH	"Exempt jurisdiction, established by charter, and governed by their own magistrates."—*Report*, 1825.	
	NORWICH .	County of itself, with rate of its own. Exclusive jurisdiction.	A well-conducted gaol.
ORTHAMPTONSHIRE	DAVENTRY .	"Does not contribute to the county rate, having a separate jurisdiction of its own."—*Report on Expenditure of County Rates*, 1825. "Exclusive jurisdiction."—*Munic. Rep.*	A good modern gaol.
	PETERBOROUGH (the Liberty of the Soke and County of the City of)	"Does not contribute to the county rate, having a separate jurisdiction of its own."—*Report*, 1825. The liberty of Peterborough comprises the hundred of Nassaburgh. The county is charged with an annual expense for the repairs of bridges in this hundred, and a few years ago was put to the cost of between £600 and £700 for the repairs of Peterborough bridge alone.	
	NORTHAMPTON	Has exclusive jurisdiction over all cases not capital.	A good gaol.
NORTHUMBERLAND	NEWCASTLE-UPON-TYNE	County of itself, with rate of its own. Exclusive jurisdiction.	Large and commodious gaol.
NOTTINGHAMSHIRE	RANDALL'S LODGE	A small extra-parochial farm of about 23 acres of land called Randall's Lodge. It does not appear that there are any grounds of exemption from the county rate, 1825. "There are no towns or parts of this division which do not contribute to the county rate."—*Treasurer's Return*, 1835.	
	NEWARK-UPON-TRENT (Borough)	Exclusive jurisdiction granted to the corporate officers by the governing charter of Charles II. The non-intromittent clause in that charter, coupled with several adjudged decisions of the Court of King's Bench in similar cases, such as Bates *v.* Winstanley and another, 4 M. and S. 429; Rex *v.* Clark, 1 D. and R. 316; and Weatherhead *v.* Drearey and others, 11 East, 168; seem conclusive as to the right of exemption. "The officers of the county have, in no case, power to act within the borough. It has its own officers of all descriptions, and the right of those officers within the borough is in all cases exclusive."—*Vide Charter.*	A gaol, but so small and inconvenient that it is only used as a place of temporary confinement, and for debtors arrested on mesne process from the borough Court of Record.
	NOTTINGHAM (Town and County)	By charter of the 27 Henry VI. Nottingham is constituted a county of itself, and has a county rate of its own.	A gaol and house of correction to which all prisoners are sent.
OXFORDSHIRE	BANBURY (Borough)	"Charter of 4 Geo. I., granting to the mayor, aldermen, and burgesses an exclusive jurisdiction, and prohibiting the officers of the county from interfering in the borough."—*Vide Extract.*	A gaol and house of correction to which all prisoners are committed; those for capital offences not excepted.
PEMBROKESHIRE	TENBY . .	Has exclusive jurisdiction.	A bad gaol.
	HAVERFORDWEST (Town and County)	Has a separate jurisdiction from the county of Pembroke, and has a separate sheriff and justices of the peace. This is confirmed by a charter granted in the 7 James I., 20 February, 1609. The jurisdiction is exclusive for all purposes. The officers of the county have not jurisdiction in the borough, and the borough has its separate county rate.	The borough gaol and the gaol for the county of Pembroke were consolidated by Act of Parliament, passed about 15 years back, and the borough and county pay their own separate expenses incurred thereby.
RADNORSHIRE	NEW RADNOR	Has exclusive jurisdiction over all offences below the degree of capital felony.	A sufficient gaol for so small a borough.
SALOP . .	LUDLOW .	Exclusive jurisdiction over all offences within jurisdiction of gaol delivery.	A borough gaol.
	OSWESTRY .	Exclusive over all offences not concerning life or member.	A borough gaol, used by the county as a lock-up house.
	SHREWSBURY	Exclusive jurisdiction over all offences.	Commit to county gaol.
	WENLOCK .	"Exclusive jurisdiction granted by charter of 7 Edward IV."—*Vide Extract.*	A borough gaol.
	ALBRIGHTON (the Liberty of)		
	BRIDGNORTH (the Town and Liberties of)	With regard to its liability a question is now pending before the Court of King's Bench. "These exclusive jurisdictions make no other payments to the county, except for the maintenance of their prisoners at so much per day, and for the conveyance of their convicts for transportation."—*Trea. Ret.* 1835.	
SOMERSET .	BRISTOL . .	County of itself, with rate of its own. Exclusive jurisdiction extending over capital cases.	Gaol tolerably good.

TABLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued.*

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
STAFFORDSHIRE	ADBASTON SCHOOL LAND	"Exempt by statute."—*Report on the Expenditure of County Rates*, 1825. "Does not bring any charge on the county rate."—*Trea. Ret.* 1835.	
	LICHFIELD .	"Is a city and county of itself, and does not bring any charge on the county rate."—*Treasurer's Return*, 1835. Has exclusive jurisdiction over all felonies.	A well-built and airy gaol, admitting of classification. A gaol at Newcastle. A gaol at Walsall.
SUFFOLK .	ALDBOROUGH	Has paid till within the last two years, now claims exemption. "Has exclusive jurisdiction over offences which do not touch the loss of life or limb."—*Munic. Rep.*	A cell under the town hall.
	BURY ST. EDMUND'S	Charter of James I. confirmed by subsequent charters."—*Vide same.* The exclusive jurisdiction is absolute and to all purposes, by virtue of the charter, so as to exclude the officers of the county in all cases, except the sheriff of the county, who executes his writs within the same. The borough is held to be exempt from the county rate by virtue of the said charter.	None. The gaol of the county of Suffolk stands within the borough, and prisoners in respect of all offences are committed to the same.
	EYE . . .	Does not contribute to the county rate, being a town corporate, and having magistrates of its own; but it has been customary from time immemorial to send all persons charged with larcenies and misdemeanors committed in the said borough to the county gaol and house of correction, and they are tried at the county sessions for the division of Ipswich and confined in the prisons there.	Very small.
	SUDBURY DUNWICH ORFORD	"The above, with Ipswich, are the only liberties, franchises, and places that I can ascertain in the county of Suffolk that do not pay, or that claim any exemption from payment. The boroughs of Sudbury, Orford, and Dunwich, all pay to the county rate."—*Treasurer's Return*, 1825. Dunwich and Orford had exclusive jurisdiction.	None. Two rooms.
	IPSWICH . .	The borough of Ipswich does not contribute to the county rate, having an exclusive jurisdiction which extends to all offences. It has a gaol and house of correction distinct from the county, with a sessions house for the trial of prisoners. "There are no towns in this division which bring any charges upon the county rate, except the borough of Eye, and that does not contribute to the county rate; the expenses of prosecutions for felonies committed in that borough are paid from this division of the county without receiving any compensation."—*Treasurer's Return, Ipswich Division.*	A large Gaol.
	Lands at Dallingho Havergate Island Stratton Hall Gedgrave Farm Purdis Farm, and other Farms	"Extra-parochial lands and places which had not theretofore paid anything to the county rate, but, in common with other places, had been a charge upon the rate, have been included in a recent valuation, and now pay to the rate in equal and proportionate shares."—*Treasurer's Return, Woodbridge Division.*	
	SOUTHWOLD	"The borough of Southwold claims exemption from the payment of county rate on the following grounds: viz. That they have a house of correction of their own, which they maintain and repair at their own expense; that they have erected a bridge which they also keep in repair; that they have also a coroner and town clerk of their own; and that they provide generally for all the common purposes for which a county rate is required; and no county rate has ever been paid by the borough within the memory of man."—*Report*, 1825. "The town of Southwold does not bring any charge on the county rate for any purpose that I am aware of. The town of Southwold pays over to the treasurer of this (the Beccles) division of the county certain fines and proportions of fines on convictions within the borough, &c."—*Treasurer's Return*, 1835.	
SUSSEX . .	HASTINGS (Town and Port)	Is one of the cinque ports, and was incorporated previous to the 31 Eliz. by the name of bailiff, jurats, and commonalty, and by a charter of 31 Eliz. was incorporated anew by the style of the mayor, jurats, and commonalty of the town and port of Hastings in the county of Sussex, which style it now retains. "Charles II. in the 20th year of his reign granted a general charter of confirmation of the liberties, privileges, and particular charters of all the cinque ports, and part of this charter distinctly confirms the exclusive jurisdiction then previously enjoyed by all the cinque ports."—*Vide Ext.* The exclusive jurisdiction Hastings now enjoys totally excludes the sheriff and justices of the county of Sussex, in all cases except where the justices have a temporary concurrent jurisdiction with the justices of the town in certain cases under the excise and custom laws. And as the commission of the justices of the county of Sussex does not extend into Hastings, and as Hastings has a commission of the peace within itself, and never did previous to the 12 Geo. II. contribute to the county rates, it is altogether, by statute 13 Geo. II. c. 13, s. 7, exempted from them.	A gaol, for the safe custody of all prisoners charged with any and all criminal offences committed within the town and port and liberties.
	CHICHESTER	The city of Chichester and the liberties thereof, being a separate jurisdiction, do not pay to the county rate. The expenses of the gaol, and of all prisoners confined and tried within the city, are paid from a rate within the city and liberties, and not from the county. There is a lock-up house lately erected at Chichester, for which the county pays 10*l.* per annum rent by agreement, and the very trifling expense of keeping the prisoners until removal.	Gaol and lock-up house.

; BLE showing the Liberties, Franchises, Divisions, Towns, or Places that claim Exemption from Payment to County Rates in England and Wales, the Grounds of Exemption, &c., from the Town Clerks' Returns and other Sources—*continued*.

County.	Name of Place.	Grounds of Exemption.	Whether any Town Gaol or not.
ISSEX (*continued*)	PEVENSEY .	"Exclusive jurisdiction over all offences, disused."—*Munic. Rep.* "The places in East Sussex, not contributing to the county rate, are the following towns and liberties, members of the cinque ports; viz. Rye, Winchelsea, Hastings, Pevensey, Seaford. "None of the above towns or liberties bring any charge on the county rate. Some prisoners are sent from the four last districts to the gaol and houses of correction, but they are maintained there, at the expense of the districts from whence they come, under contract at 1*s.* 6*d.* per head per day."—*Treasurer's Return, East Sussex.*	Lock-up; commit to county gaol.
	RYE . . .	As a member of the cinque ports under the general charter of Charles I. and Charles II. "Has exclusive jurisdiction over all offences."—*Munic. Rep.*	A very small gaol for prisoners charged with felonies and misdemeanors.
	SEAFORD .	"A member of the cinque ports."—*Ante.* Exclusive jurisdiction over all offences.	Lock-up.
	WINCHELSEA	"A member of the cinque ports."—*Ante.* Jurisdiction extends to capital felonies.	A gaol merely for temporary confinement.
'ARWICK-SHIRE	COVENTRY .	County of itself, with rate of its own.	A gaol.
'ESTMOR-LAND	KIRKBY KENDAL	"Exclusive jurisdiction over felonies, not extending to life and limb."—*Munic. Rep.* "The burgh of Kirkby Kendal does not contribute to the county rates. They support their own bridges, house of correction, and pay for the maintenance and prosecution of felons committed to the county gaol from the said burgh."—*Report on County Rate Expenditure*, 1825. "The burgh of Kendal collects a separate rate in the nature of county rate."—*Treasurer's Return*, 1835.	A gaol belonging partly to the corporation and partly to the county; ample and convenient.
'ILTS . .	MARLBOROUGH (Borough of) NEW SARUM (City of)	"Claim exemption by charter, and raise rates in the nature of county rates within their own jurisdictions."—*Report on Expenditure of County Rates*, 1825. "Marlborough has exclusive jurisdiction over misdemeanors."—*Munic. Rep.*	A gaol, little used.
'ORCESTER	GRAFTON (Manor of)	"Under an old right."—*Report on Expenditure of County Rate*, 1825.	
	EVESHAM .	"Has exclusive jurisdiction over felonies and misdemeanors."—*Munic. Rep.* "The only place in this county that does not contribute to the county rate is Evesham, which brings no charge thereon."—*Trea. Return*, 1835.	A gaol.
	WORCESTER	County of itself, with rate of its own. Exclusive jurisdiction.	A well-regulated gaol.
'ORKSHIRE .	BEVERLEY (Town and Liberties of)	The borough has never contributed to the county rate payable in the county of York. By the governing charter of 1 King James II., exclusive jurisdiction is given to the mayor, recorder, and aldermen. (and an extract from the charter is sent herewith.) The authorities of the borough have ever maintained the exclusive jurisdiction, and have levied county rates without any interference from the justices of the county of York. It would be more advantageous for the inhabitants of the borough to contribute to the county rate for the East Riding, which is levied at a less sum in the pound than their own.	There is a gaol which is properly warded and classified, to which prisoners are committed for all except capital offences.
	HEDON (Town of)	An exclusive criminal jurisdiction.	A lock-up house.
	KINGSTON-UPON-HULL (Town and County of the Town of)	County of itself. "These are exclusive jurisdictions, and do not contribute to the county rate of the East Riding."—*Returns relating to County Rates*, 1832. "None of these bring any charge upon the East Riding of Yorkshire."—*Treasurer's Return*, 1825.	
	RICHMOND .	An exclusive jurisdiction over small felonies, paid for out of poor rate.	A small inconvenient gaol. Prisoners after conviction sent to Northallerton, under contract with the county.
	RIPON . .	Jurisdiction of Liberty of Ripon.	None.
	SCARBOROUGH	An exclusive jurisdiction over cases not capital.	A borough gaol and house of correction, both in a bad state and very inconvenient. Contract with county to send to Northallerton.
	YORK (City and Wapentake of the Ainsty)	"Exemption claimed, having magistrates within its own liberty, and discharging the expenses of its prosecutions."—*Rep. on County Expen.*, 1825. The city of York and the wapentake of the ainsty form a county, and have a rate of their own.	A gaol and house of correction; both large and commodious.
	Liberty of Saint Peter cum Belfry	"The liberty of St. Peter of York consists of townships and parts of townships in the different Ridings of Yorkshire; and no county rates are laid for the liberty separately from the Ridings."—*Returns relating to County Rates*, 1832.	

ANSWERS OF CLERKS OF THE PEACE,

Of the several Counties in England and Wales, to Questions on the subjects of Liberties and Exempt Jurisdictions, and Conveyance of Prisoners.

QUESTIONS.

Question 1. Does any and which of the liberties and exclusive jurisdictions (if any) in your county bring any and what charge upon the county rate?

Q. 2. Does any and which of the liberties and exclusive jurisdictions in your county make any and what contribution to the county rate?

Q. 3. If the liberties and exclusive jurisdictions in your county, or any of them, pay any sum of money by way of composition to the county at large, what is such composition, and in respect of what is it paid, upon what principle, and in what manner is it adjusted? Do you think it a full and fair composition, and for what length of time will it now continue in force?

Q. 4. If a prisoner is committed for trial at the assizes, is he necessarily sent to the common or sheriff's gaol, though such gaol be not locally situate in the assize town?

Q. 5. If he is so sent, how is he conveyed on this occasion, and also on the occasion of removing him to the assize town to take his trial, and at what expense per prisoner, and upon what fund does the expense fall?

Q. 6. If upon his trial he is convicted and sentenced to death, or transportation, is he sent back again to the common gaol; and if such sentence be afterwards commuted for imprisonment, is he in any and what cases sent to any other gaol or house of correction in the county to undergo his punishment; and by what conveyance is he sent in the above cases, at what expense per prisoner, and upon what fund does the expense fall?

Q. 7. If a prisoner is sentenced to transportation at the quarter sessions, must such convict be taken to the common gaol, to be given into the custody of the sheriff, or is he left in the custody of the keeper of the house of correction till he is delivered over to the Government? If he is removed, by what conveyance is he so removed, and at what expense per prisoner, and on what fund does the expense fall?

ANSWERS.

BEDFORDSHIRE.

Answers 1 and 2. The town of Bedford is the only separate jurisdiction in this county. It has a separate commission of the peace, and holds separate quarter sessions, but the justices of the county are not excluded. It brings no charge upon the county rate, but a separate rate is made for the town of Bedford.

A. 3. By virtue of the Acts 4 Geo. IV., c. 64, and 5 Geo. IV., c. 85, for regulating gaols and houses of correction, at Michaelmas quarter sessions, 1824, it was contracted and agreed between the justices for the county, and the justices for the town of Bedford, that thenceforth every town prisoner should be committed or removed to, or confined in the gaol or houses of correction of the county, and that the treasurer of the town should, at every quarter sessions, pay to the treasurer of the county, for the support and maintenance of all such prisoners, at and after the rate of 8*s.* per week for each, and that such contract should be perpetual, subject only to variation with respect to the weekly sum, according to the average cost per head of the county prisoners. This contract has been ever since and is still acted upon without any variation. The amount of such maintenance is paid out of the town rate.

A. 4. If a prisoner is committed for trial at the assizes, he is necessarily sent to the common, or sheriff's gaol, in the town of Bedford. There is no other prison, except the two houses of correction contiguous.

A. 5. He is conveyed to gaol by the constable, who is allowed according to a fixed scale. On the occasion of trial, he walks from the gaol to the shire-hall and back, and no expense is incurred thereby, except for the gaoler's guard.

A. 6. If a prisoner, upon his trial, is convicted and sentenced to death or transportation, he is walked back again to the common gaol; and if such sentence be afterwards commuted for imprisonment, he remains in the gaol, or one of the houses of correction, as the sentence may direct.

A. 7. If a prisoner is sentenced to transportation at the quarter sessions, such convict is taken to the common gaol, and remains there in the custody of the sheriff until delivered over to the Government. The sheriff removes all convicts for transportation, by the common stage coach, under proper guard, and delivers them over to the Government. There is no fixed rate of payment, but the gaoler delivers in his bill for coach hire and expenses at the next quarter sessions, when the justices allow what appears to them reasonable and proper.

BERKS.

Answer 1. I am not aware that any exclusive jurisdiction makes any charge upon the county rate.

A. 2. No.

A. 3. The boroughs of Reading and New Windsor, which have exclusive jurisdictions, pay after the rate of 3*s.* 6*d.* per week for the subsistence, &c. of each prisoner committed from those boroughs to the county gaol and house of correction at Reading.

A. 4. The assizes are held alternately at Reading and Abingdon, and the prisoners for trial are conveyed from the one place to the other, as it happens.

A. 5. In the county caravan, and the expenses are paid by the treasurer out of the county stock. The only expense is the hire of post horses.

A. 6. Such prisoners are sent to the county gaol, and if sentenced to transportation are conveyed to Portsmouth or Woolwich, by the gaoler. The expense of conveying the last nine convicts to Woolwich was £9. 4*s.* 6*d.*, which has been paid out of the county stock.

A. 7. Such prisoners are sent to the county gaol, and conveyed as mentioned above.

BUCKS.

No return.

CAMBRIDGESHIRE.

A. 1. The town of Cambridge, which is a borough, having a commission of the peace not containing a non-intromittent clause, brings a charge upon the county rate in the following manner. All town prisoners, convicted at the assizes of offences committed within the jurisdiction of the town, although previous to that period they are confined in the town gaol, to which they are committed for trial, and maintained there until the assizes at the expense of the town, are immediately after conviction conveyed to the common gaol of the county, and thus the maintenance of town convicts sentenced to imprisonment, and the costs of conveying town transports to the hulks, fall entirely upon the county rates. For the last few years, owing to the great number of prisoners confined in the town gaol, tried at the assizes, and sent after conviction to the county gaol, the burthen upon the county rate has been exceedingly heavy, falling little short of £200 in a year. This is considered as a great hardship, more especially as a new town gaol has within the last five years been erected, the security of which is equal to that of the county gaol, and nearly as capacious.

A. 2 and 3. The town of Cambridge does not in any way contribute to the county rate.

A. 4. If a prisoner is committed for trial at the assizes for an offence committed within the county of Cambridge, he is necessarily sent to the common or sheriff's gaol, there being no other, which gaol is locally situate in the assize town.

A. 5. A prisoner so sent is usually conveyed by the constable and his assistant, in a cart, to the common, or sheriff's gaol, which is, as has been before stated, in the assize town.

A. 6. If, upon trial, a prisoner is convicted and sentenced to death or transportation, he is sent back again to the common gaol; and if such sentence be afterwards commuted for imprisonment, he is sent to the same gaol to undergo his punishment. The common gaol and house of correction for the county of Cambridge is a united building, and there is but one in the county, which being locally situate in the assize town, no expense is incurred in conveying prisoners to and from trial, except occasionally in the conveyance of females, or sick or infirm prisoners, which is to a very trifling amount, and falls upon the county rate.

A. 7. If a prisoner is sentenced to transportation, at the quarter sessions, he is left in the custody of the keeper of the common gaol and house of correction till he is delivered over to the Government; such prisoner is conveyed to the hulks by coach, by the gaoler, at an average expense of £5 each prisoner, which falls upon the county rate.

CHESHIRE.

A. 1. None save the borough of Congleton.

A. 2. The borough of Congleton and every other place within the county of Chester contribute to the county rate.

A. 3. All places within the county contribute rateably to the county rate according to an assessment or valuation made in 1820, but which is now in the course of revision. There is not any composition paid in lieu of county rate by any place within the county.

A. 4. The common gaol is within the walls of the city of Chester, (the assize town:) though part of the county prisoners are generally committed to the common gaol for trial at the assizes, in some few instances they are committed to the house of correction at Nether Knutsford, (25 miles distant from Chester,) and brought by the keeper at the assizes to the common gaol for trial.

A. 5. The prisoner, whether committed to the common gaol or house of correction, is brought over by the constable named in the warrant of commitment, who is paid by the treasurer of the county upon the order of the committing magistrate. If brought by the keeper of the house of correction for trial at the assizes, the keeper is allowed 14*s.* per head for conveying each prisoner, which is paid by the treasurer of the county under an order of court.

A. 6. A prisoner, convicted and sentenced to death or transportation, is kept in the custody of the keeper of the common gaol until disposed of: if the sentence be commuted to imprisonment in the house of correction, which occasionally happens, such prisoner is conveyed there by the keeper of the common gaol at a cost to the county of 14*s.*

A. 7. He is sentenced to be committed to the common gaol until transported. He is removed by the keeper of the common gaol, who is allowed 14*s.* per head by the treasurer out of the county rate.

CORNWALL.

A. 1, 2, and 3. As to the liberties and exempt jurisdictions.

The following are separate jurisdictions:

Borough of St. Ives.	Lostwithiel.	Bodmin.
Helston.	Saltash.	Fowey.
Penryn.	East Looe.	Liskeard.
Truro.	West Looe.	Towns of Penzance.
Tregony.	Launceston.	Falmouth.
Grampound.		

Of these separate jurisdictions, Liskeard alone contributes to the county rate, and they all bring charges on the county for conveying prisoners to and maintaining them at the county gaol; but

orders for the costs of prosecution of those prisoners are made on the separate jurisdictions where the offences are committed, except in the case of Liskeard, which contributes to the county rate according to an ancient valuation of the whole county at a remote period. Of the fairness of that contribution I am unable to judge.

A. 4. Prisoners committed for trial at the assizes are necessarily sent to the common gaol at Bodmin, where the summer assizes have hitherto been held. The Lent assizes have been hitherto held at Launceston, where there is a building formerly used as a gaol in common with that of Bodmin, but discontinued as a gaol for the reception of prisoners at those assizes.

A. 5. Prisoners are conveyed to the common gaol principally by contractors with the justices resident in different parts of the county; and where there is no contractor, the constables convey them in carts or otherwise, and are paid their reasonable expenses by the county treasurer upon the order of a justice of the peace. The expenses, whether by contract or otherwise, necessarily vary greatly on account of the different distances, but I conceive the average expense to be about 1*s.* 3*d.* per mile per prisoner. The prisoners for trial at the Lent assizes are conveyed to Launceston by vans or waggons, and the expenses of such conveyance may be taken at about £2. per prisoner. All the expenses of conveying are paid out of the county rate.

A. 6. All the prisoners convicted and sentenced to death or transportation at the Lent assizes are conveyed back to the gaol at Bodmin, and where the sentence is afterwards commuted for imprisonment they undergo the punishment at the same gaol.

A. 7. Where a prisoner is sentenced to transportation at the quarter sessions, he is taken to the common gaol; and when he is delivered over to the Government, he is conveyed by the gaoler by coach and sometimes partly by steam. The expenses vary with the mode of conveyance and the number conveyed. The average may be taken at about £3. per prisoner. The expense is paid out of the county rate.

CUMBERLAND.

A. 1, 2, and 3. There is no exclusive jurisdiction within the county of Cumberland that brings any charge upon the county rate; but there is a court of quarter sessions of the peace held for the city of Carlisle, at which prisoners are tried, and the expenses paid by the treasurer of the county; the city contributing to the county rate according to value, the same as any other part of the county.

A. 4 and 5. The prisoners for trial at the assizes are always in the first instance committed to the county gaol at Carlisle, where the assizes are held.

A. 6 and 7. The quarter sessions are held alternately at Carlisle and Cockermouth, and prisoners convicted at Cockermouth are taken to the gaol at Carlisle, where they undergo their sentence if of imprisonment; or if transportation, remain in the gaol until delivered over to Government at Woolwich, at an expense of 9*d.* per mile for one or two, which will average about £11. 14*s.* each, and if more than two at 6*d.* per mile each, which will average about £7. 16*s.* per prisoner, the expenses of which fall upon the county rate.

DERBYSHIRE.

A. 1. The borough of Derby is the only exclusive jurisdiction in the county, but it has a rate for itself, and brings no charge upon the county rate.

A. 2. There are no liberties and exclusive jurisdictions in the county which make any contribution to the county rate.

A. 3. There is no sum of money paid to the county at large by way of composition by any liberty or exclusive jurisdiction in this county.

A. 4. There is only one gaol in the county, which is situate at Derby, the assize town; and all prisoners, whether committed for trial at the assizes or sessions, are sent there.

A. 5. The prisoner as soon as he is committed is conveyed by a constable to the gaol at Derby.

A. 6. If a prisoner be sentenced to death or transportation, he is sent back again to the common gaol at Derby; and if his sentence be afterwards commuted for imprisonment, he undergoes his punishment in the same gaol, there being no other in the county.

A. 7. The house of correction and common gaol at Derby form one prison, and there is one governor for both. When a prisoner is sentenced to transportation, he is left in the custody of the keeper or governor of the gaol until he is delivered over to the Government.

DEVONSHIRE.

A. 1. None of the liberties and exclusive jurisdictions bring any charge on the county rate, except the boroughs of Plymouth and Totnes.

A. 2. Nor do they make any contribution to it, except Plymouth and Totnes.

A. 3. And Plymouth pays a composition or quota under their local Act of Parliament, which is certainly not a full or fair composition, as will be seen by a petition presented by Lord Ebrington to the House of Commons, and by Lord Rolle to the House of Lords. Totnes is assessed to the county rate in the same manner as other parishes.

A. 4, 5, 6, and 7. All our gaols are in the assize town, and prisoners when committed for trial or for punishment are sent thither. For the most part the prisoners are conveyed by contract, and when otherwise the expense is limited to 1*s.* per mile as a maximum for one prisoner, and less in proportion for more than one.

These expenses are paid out of the county rate by the order of the committing magistrate.

By the arrangement of the visiting justices and the sessions, the gaol is so classed that all prisoners before trial are sent there. After trial, if convicted and sentenced to hard labour, they are removed to the house of correction for that purpose. These prisons adjoin each other, and are under the superintendence of one keeper, and united for the better classification of both.

If sentenced to transportation, the prisoner remains in the gaol at the charge of the sheriff until an order for his removal is obtained. The keeper then removes him at the expense of the county.

In our county much has been done by a committee to reduce and regulate the expenses of apprehension and conveyance to prison, and it is considered that the charges now made here in this respect are as moderate and uniform as it is possible to render them. There is one branch of expense, however, which requires legislative interference. At present there are no means of defraying the necessary charges for apprehending and detaining a prisoner prior to his being taken before a magistrate, unless the constable is specially appointed and has a warrant directed to him as such under the 41 Geo. III., cap. 78.

In repeated instances I have found that constables have expended considerable sums in travelling and searching for a prisoner, and maintaining him subsequently until the case could be heard before a magistrate. The Act of 7 Geo. IV. which allows the expenses of attendance before the committing magistrate, does not include charges prior to such attendance.

It was usual with some magistrates to include these charges in the order for conveyance to prison, but our committee of accounts have put an end to this practice by pointing out its illegality; and the consequence has been that the order for conveyance is now strictly confined to the actual expenses of such conveyance, allowing nothing for remuneration. The certificate of expenses before the committing magistrate has been strictly confined to the attendance of the prosecutor and witnesses before the magistrate, and the order for attendance at the trial has been strictly confined to the expenses of such attendance as settled by the order of court.

This leaves nothing for the apprehension, which it is considered ought to be provided for in a moderate way.

DORSET.

A. 4, 5, 6, and 7. There being only one common gaol and house of correction for the county of Dorset, which are united and form one establishment, all prisoners for trial, or otherwise, are consequently sent there. The gaol and house of correction is situated in the assize town, in which the four quarter sessions in the year are also held.

DURHAM.

A. 1, 2, and 3. Relative to liberties and other exempt jurisdictions in the county of Durham, I beg to state that there are no such liberties or exempt jurisdictions, but there is a detached part of the county called the district of Craike or Craikeshire, surrounded by the county of York, and situated about 40 miles from the body of the county, and about 15 miles from the city of York, which pays county rate to the north riding of Yorkshire: this was decided by the Court of King's Bench in Trinity vacation, 1819, on a case reserved as reported under the title of "Johnson *v.* Dealtry and others," B. and A. vol. iii., page 72.

A. 4, 5, 6, and 7. Relative to conveying prisoners, I beg to inform you that there is only one common gaol and one house of correction in the county of Durham, and those are situated in the suburbs of the city of Durham, contiguous to each other and adjoining the county courts, where the assizes and quarter sessions are always held; therefore when prisoners are committed for trial no expense of removal is incurred. Prisoners sentenced to transportation remain in the custody of the keeper of the gaol and house of correction, being an office held by one and the same person, until he receives an order from Government for their removal, when they are taken to the hulks at the county expense. Prisoners sentenced to transportation at the Easter and Midsummer sessions and summer assizes are conveyed to a neighbouring sea-port, and from thence by sea to their destination; and those so sentenced at the Michaelmas and winter sessions and spring assizes are conveyed to the hulks by the ordinary stage-coaches. In the year 1834, 27 convicts were conveyed to the hulks at Woolwich at an expense of £207. 0*s.* 10*d.*, averaging £7. 13*s.* 4*d.* per head.

ESSEX.

A. 1. All the liberties and exclusive jurisdictions in the county of Essex bring a charge upon the county rate for feeding and clothing prisoners committed to the county prisons for offences committed within such liberties and exclusive jurisdictions.

A. 2. See answer to Question 3.

A. 3. The liberties and exclusive jurisdictions pay to the county double the average amount of expense per diem of feeding and clothing a prisoner in the county gaol for each and every day any offender charged with or convicted of an offence committed within such liberties and exclusive jurisdictions is imprisoned in the county gaol. The principle, namely, double the average amount of expense per diem of feeding and clothing a prisoner, is under the local Act of Parliament for building the gaol, and the sum is adjusted by the justices in quarter sessions, according to the price of provisions from time to time. It appears to be a full and fair composition, and is likely to continue in force from time to time.

A. 4. The prisoner is sent to the gaol at Springfield, which adjoins the assize town.

A. 5. The prisoner is conveyed to prison in a cart by the constable; the prisoner is removed from the prison to the assize town, to take his trial, in a van kept by the county.

A. 6. On conviction the prisoner is sent back again in the county van to the gaol at Springfield, where he remains during the whole time of his imprisonment.

A. 7. A prisoner sentenced to transportation at the quarter sessions is removed to the gaol at Springfield, where he remains until he is delivered over to the Government; he is removed either in the county van (before mentioned) or by a stage coach at the expense actually incurred on such removal, which is paid out of the county rate.

GLOUCESTERSHIRE.

A. 1. The offences committed within the borough of Tewkesbury triable at the assizes only, are tried at the assizes for the county, but I am not aware they bring any charge on the county rate. The city of Gloucester, the only other jurisdiction, is altogether exclusive of the county.

A. 2. None.

HANTS.

A. 1. There are some extra-parochial places near different parishes which do not contribute to the county rate, which bring a charge on the county for prosecutions, &c.: the county have it in contemplation to assess those places, but the aggregate amount of that assessment would not be great.

A. 2. All liberties and exclusive jurisdictions, but extra-parochial places not assessed, contribute to the county rate, except the borough of Portsmouth, the city of Winchester, and the borough of Andover and Southampton, being a town and county of itself.

A. 3. No sum paid by any liberty or other jurisdiction towards the county fund, other than the county rate, which is charged on all places within the county except as above mentioned.

A contract is entered into by the year with the city of Winchester for maintaining their prisoners under sentence in our county house of correction at 6*s.* per week, which I think is a fair allowance.

A. 4. The gaol is situate in the assize-town, and receives every prisoner committed for trial.

A. 5. Conveyed to the gaol by cart or chaise, sometimes walks. There is no expense in taking the prisoners up to be tried.

A. 6. The prisoners for trial at the sessions, or at the assizes, are always sent to the gaol, and if the sentence is commuted they are sent to the house of correction at Winchester free of expense. There have been instances in particular cases of prisoners being ordered to be confined in the Bridewells at Gosport and Newport, and in such cases they have been removed at the county expense of about £1 per prisoner.

A. 7. The house of correction does not receive any prisoner for trial; the prisoners tried are sent from the gaol and returned after convicted back to the gaol, and convicts removed to the hulks, and conveyed by coach or carriage, and post horses; the average expense per head £1, and paid out of the county rate.

HEREFORDSHIRE.

A. 1. The only liberties and exclusive jurisdictions in the county are the city of Hereford and the borough of Leominster; the former brings no charge upon the county rate, the latter maintains its own bridges: all other charges fall upon the county.

A. 2. The city of Hereford is charged for the maintenance and clothing of prisoners committed by the city magistrates for offences committed within the city, at the rate of 4*s.* 6*d.* per week for each prisoner, and for the transportation of such prisoners as are convicted of offences committed within the city at the rate of 7*d.* per mile for each; and also for maintenance and clothing of prisoners after sentence in the house of correction. The borough of Leominster contributes £22. 2*s.* 9*d.* to each county rate of one penny in the pound as its quota.

A. 3. When the county rate was equalized in the year 1819, the borough of Leominster was first brought into charge; but as the inhabitants repaired their own bridges, and many prisoners were committed to the borough gaol and tried there for felonies without any expense to the county, it was at first intended to impose such a proportion of the county rate as would cover the other expenses which fell on the county. Since the borough has been charged, the whole of the prisoners have been committed to the county gaol; and although the first charge has been increased one-fifth, I am of opinion that the sum charged is not adequate to the expenses borne by the county. As no actual *final* agreement has been entered into between the county justices and the borough magistrates, it is competent for the former at any time to avail themselves of the powers granted by the statutes under which the rates on the other parishes and places in the county were regulated, and to make a new rate on the borough upon an actual survey, or upon the return of the parish officers in manner prescribed by those statutes.

A. 4. There is but one gaol for the county, situated within the suburbs of the city of Hereford, which is the assize town. The prisoners are confined in the felons' wards till trial, and after trial they are confined in the house of correction, or penitentiary, which are attached to the gaol, and within the same boundary walls.

A. 5. The prisoners are conveyed from the gaol to the shire-hall in a caravan drawn by two horses, at an expense of 8*s.* per day for the use of such horses, with a further allowance if they are required to make several journeys in the day: this expense is borne by the county. All prisoners committed for trial either by the county or borough magistrates are sent to prison under the care of the constables, who use their own discretion as to the mode of conveyance; the expenses are regulated by a table of allowances.

A. 6. After trial the prisoners are returned to the gaol and placed in the house of correction, or penitentiary, according to their sentences.

A. 7. If a prisoner is sentenced to transportation, he is placed in the house of correction till the order arrives for his being sent off or delivered to the hulks, &c.; he is then delivered to a person who contracts with the county magistrates under the sanction of the general quarter sessions annually, and under a special appointment of the sheriff of such person as assistant gaoler, to convey him by coach or such carriage as the visiting magistrates shall from time to time approve, to such place as the Secretary of State shall direct, at 7*d.* per mile for each prisoner, amounting on the average to £4. 7*s.* 6*d.* each; and the contractor enters into a bond, with sufficient sureties, for the orderly conduct of the guards and the persons intrusted to their charge, so far as to their being prevented from being riotous or noisy, and their being kept from taking liquor in improper quantities on the road.

HERTS.

No return.

HUNTINGDONSHIRE.

A. 1, 2, and 3. There are no liberties or exclusive jurisdictions within the county of Huntingdon which bring any charge upon, or are in any way contributory to, the county rate, either by composition or otherwise.

A. 4 and 5. If a prisoner be committed for trial at the assizes, he is sent to the common gaol and house of correction united, situate not in the assize town, and is conveyed to the assize town for trial in a waggon provided at the county expense of £1 per day (for all the prisoners), which is charged under the head of gaoler's incidental expenses.

A. 6. If a prisoner is convicted and sentenced to death or transportation, and the sentence is commuted to imprisonment, he undergoes his punishment in the house of correction.

A. 7. If a prisoner be sentenced to transportation at the sessions, he is taken to the house of correction (the gaoler and the keeper of the house of correction being *unus et idem*) till he is delivered over to the Government. The expense of removal is paid out of the county rate, viz.—

For the removal of one convict to Portsmouth	£12
If more than one at a time, each	10
One to Woolwich	10
If more than one at a time	8

KENT.

A. 1. The corporate town of Gravesend and Milton next Gravesend is the only exclusive jurisdiction which brings a charge upon the county rate. All offenders committed upon summary convictions or for trial from the said town are sent to the county prisons at Maidstone, where they are maintained at the expense of the county, and the latter are tried at the county assizes and sessions, and the expenses of the prosecutions are paid out of the county rates. The fees of the coroners of that corporation, for inquisitions taken, are also paid out of the county rates; the town however contributes to the county rates equally with other parishes and places in the county.

A district comprising the town and parish of Aylesford and borough of Rugmorhill claims a partial exemption from county rates, as being part of the ancient demesne of the crown of England, and pays one-eighth part only of the amount as a contribution towards the repairs of county bridges, to which expenses alone that district contributed before the Act of 12 Geo. II.

A. 2. The town of Gravesend and Milton is the only exclusive jurisdiction which makes any contribution to the county rate, which it does equally with other parishes and places in the county, as mentioned above.

A. 3. The exclusive local jurisdictions of Maidstone, Tenterden, Queenborough, New Romney, Lydd, and Fordwich, pay the sum of 7*s.* per week by way of composition to the county for the maintenance in the county prisons of each prisoner committed or removed to such prisons from the above jurisdictions, they having entered into contracts with the county magistrates for the same. The sum of 7*s.* per week for each prisoner was fixed by the court of general session; it is a full and fair composition. The contracts with the towns of Maidstone, Tenterden, and Queenborough, will expire at Michaelmas, 1844; those with the towns of New Romney and Lydd in November, 1845; and that with the town of Fordwich at Michaelmas, 1846.

A. 4. The greatest number of the prisoners committed for trial at the assizes are committed to the common or sheriff's gaol, situate at Maidstone, the assize town; but a prisoner is not necessarily committed to this gaol. Prisoners for trial at the assizes are occasionally sent to the county prisons at St. Augustine's, near Canterbury, from whence they are removed for trial to Maidstone. There were however only three prisoners sent to St. Augustine's prisons, or removed from thence to Maidstone for trial at the assizes, during the last three years, those prisons being usually appropriated for the confinement of prisoners committed for trial, or convicted at the quarter sessions for the eastern division of the county.

A. 5. A prisoner when committed for trial at the assizes is conveyed to the gaol in the custody of a constable, who sometimes travels in a light cart and sometimes by the public coaches or vans. The before-mentioned three prisoners were conveyed from St. Augustine's prisons to Maidstone for trial at the assizes at different times by coach, the expense attending which conveyance amounted to about £1. 10*s.* each prisoner, and was paid out of the county stock. If several prisoners were conveyed at the same time from St. Augustine's to Maidstone the expense would be much less per prisoner, as a carriage would be provided for the purpose.

A. 6. Prisoners conveyed from St. Augustine's prisons to the assizes at Maidstone for trial, and also those prisoners who have been confined previously to trial in the county prisons at Maidstone, are, after conviction, imprisoned in the common gaol and house of correction at Maidstone, if sentenced to imprisonment, as generally are those also whose sentences of death or transportation have been commuted to imprisonment. In some instances they are conveyed by coach to the penitentiary at Millbank, or some other penitentiary out of the county of Kent, to undergo their punishment. The expense per prisoner when removed to Millbank amounts to about £1. 8*s.*, which is paid out of the county rate. It may not be irrelevant to this question to notice that under the provisions of the recent Act for the establishment of the Central Criminal Court, prisoners are sometimes committed to the county gaol of Maidstone for trial by the Central Court, and sometimes it occurs that upon the bills of indictment being preferred, the offence proves to be cognizable by the Central Court and not by the sessions; in which cases the prisoners are removed to London for trial, and if convicted they are returned to the Maidstone gaol to receive their sentence of imprisonment, or, as in a recent case, execution. On these occasions the gaoler, or one or more of his officers, accompanies the prisoners; the expense per prisoner, amounting upon an average to about 14*s.* in the conveyance to or from the Central Court, is paid out of the county rate.

A. 7. Such convict is left in the custody of the keeper of the house of correction, and treated as a prisoner in the penitentiary wards, till he is delivered over to the Government. When removed from the county prisons at Maidstone he is generally taken by a van belonging to the county, constructed for the purpose, to Woolwich, Sheerness, or Chatham, the expense of which conveyance for each prisoner on an

average amounts to about 8*s*. When removed from the county prisons at St. Augustine's he is generally taken by a conveyance hired by the county to Sheerness or Chatham, the expense of which conveyance for each prisoner on an average amounts to about 14*s*.: this expense falls on the county rate.

LANCASHIRE.

A. 1, 2, and 3. There are no liberties or exclusive jurisdictions in this county.

A. 4, 5, and 6. The common gaol of Lancaster Castle is situate in the assize town.

A. 7. Prisoners sentenced to transportation are not sent to the common gaol, but remain in the prisons to which they were committed for trial, until removed by order of the Secretary of State. They are removed in covered vans, by contract, at about 5*d*. per head per mile. The expense is paid out of the general county rate.

LEICESTERSHIRE.

A. 1. There is no liberty or exclusive jurisdiction in this county, to my knowledge, which brings any charge upon the county rate.

A. 2. Or that makes any contribution to the county rate.

A. 3. Or that pays any sum of money by way of composition to the county at large.

LINCOLNSHIRE—PARTS OF HOLLAND.

A. 5. Prisoners are conveyed generally by a light cart from the house of correction at Spalding to Boston, 16 miles, and from thence by packet to Lincoln, 36 miles; and from the house of correction at Skirbeck Quarter by packet to Lincoln, 36 miles. The expense allowed per prisoner is from Spalding £5, and from Skirbeck Quarter £2. 15*s*., on the average. Paid out of the county rates for the parts of Holland.

A. 6. If a prisoner is sentenced to death, he is sent back again to the common gaol at Lincoln, and there hung: if sentenced to transportation, he is sent back to the county gaol at Lincoln, and there remains until conveyed to the hulks, which the keeper does in a light caravan, built for the express purpose. The expense is paid out of funds raised by order of gaol sessions, out of county rates, from the divisions of Lindsey, Kesteven, and Holland: if sentenced to imprisonment, he generally undergoes his punishment in the county gaol at Lincoln, and the expense is paid out of the fund raised by the gaol sessions, but occasionally he is ordered by the judge to be conveyed to the house of correction near to where the offence was committed, when the division he is sent into pays the expense of his maintenance, and that of his removal from Lincoln to the gaol sessions.

A. 7. Prisoners sentenced to transportation, at the quarter sessions, are forthwith taken from the houses of correction at Skirbeck Quarter and Spalding, by the keepers, to the county gaol at Lincoln, where they remain until delivered over to Government; the mode and expense as stated in No. 5.

LINCOLNSHIRE—PARTS OF KESTEVEN.

A. 1, 2, and 3. The borough and soke of Grantham, and the borough of Stamford, are within the jurisdiction of the parts of Kesteven, and raise rates for their own local purposes, in the nature of county rates; but these jurisdictions, although they have the free use of the county gaol and assize courts for all purposes, and commit felons, debtors, and other description of offenders, to the county gaol, do not contribute to the general county rate for support of these general county institutions; and in the last session of parliament a petition from the county magistrates was presented to the House of Commons, praying that the local jurisdictions might be rated in aid of the general county expenses; and with respect to the borough and soke of Grantham, the case of that jurisdiction not being so rated was brought under the consideration of the Municipal Commissioners by the county magistrates, when they sat at Grantham to inquire into the constitution of that corporation.

A. 4. If a prisoner is committed for trial at the assizes, he is sent to the common gaol of the county, the Castle of Lincoln, where the assizes are held for the county, at the expense of the jurisdiction from which he is committed.

A. 5. If, on trial at the assizes, he is sentenced to transportation, he is removed to the hulks at Chatham, at the expense of the three divisions of the county, who also bear the expense of his maintenance until his removal; and although he may have committed his offence in a local jurisdiction, as, for instance, Grantham, Stamford, Boston, or Grimsby, yet these jurisdictions do not contribute to the general county rate, and are, according to the present custom, wholly exempt from the burthen of maintaining and removing their own convicts.

A. 6. The judge, on passing sentence for imprisonment, directs the prisoner to be confined in the house of correction belonging to the division where the offence was committed, and immediately after the assizes he is removed by the keeper to such house of correction, at the expense of the three divisions of the county. There is no stipulated sum for removing prisoners, but the expense is narrowly investigated by the magistrates before the keeper is paid. When sentence of death or transportation is commuted to imprisonment, prisoners are continued in the county gaol, at the expense of the three divisions.

A. 7. When a prisoner is sentenced to transportation from the quarter sessions of the several divisions, he is immediately conveyed to the common gaol, at the expense of the division, by the keeper of the divisional house of correction, the keeper being paid mileage and expenses, according to a table of regulations. The prisoner then, with a party twelve in number, is removed in a caravan, drawn by four horses, to the hulks, by the keeper of Lincoln Castle, at the expense of the three divisions of the county.

LINCOLNSHIRE—PARTS OF LINDSEY.

A. 1. The corporate town of Louth (with the local justices of which the county justices have concurrent jurisdiction) brings an annual charge upon the county rate in respect of the maintenance, prosecu-

tion, and punishment of prisoners committed and tried there, and other charges incidental to their criminal jurisdiction. I am not able to state the amount, as it is not distinguished in the treasurer's general statement. I submit that this presents a great anomaly, and that no local jurisdiction ought to have power to make orders upon the county treasurer. I greatly doubt the legality of these orders, but it would be unjust to question them, so long as the town of Louth contributes to the county rate, and has no other rate upon which to charge these expenses. I would suggest that every jurisdiction competent to try felons should be discharged from liability to the county rate, and should be empowered to levy a town rate, in the nature of a county rate, on which all the expenses payable out of a county rate should be charged.

A. 2. Louth, which is not an exclusive, but a concurrent jurisdiction, contributes to the county rate.

A. 3. There is no such composition.

A. 4, 5, and 6. The common gaol is situate in the assize town.

A. 7. Prisoners sentenced to transportation have hitherto been sent to the county gaol, from whence their sentences are carried into execution, at the expense of the county at large. I am not able to state the cost per head.

MIDDLESEX.

A. 1. The city and liberty of Westminster (which is *not* an exclusive jurisdiction) brings a charge upon the county rate, in respect of prosecutions, the Guildhall, the maintenance of prisoners, &c. The liberty of the Tower of London (which *is* an exclusive jurisdiction) does not bring any charge upon the county rate.

A. 2. The city and liberty of Westminster is assessed on the full value of the estates and rateable property therein, and contributes to the county rate to an amount considerably greater than the charge it brings. The liberty of the Tower of London does not contribute to the county rate.

A. 3. The city and liberty of Westminster and the liberty of the Tower of London do not pay any sum of money by way of *composition* to the county at large.

A. 4. The Commissioners' questions are scarcely applicable to Middlesex, inasmuch as all the gaols are within a short distance of each other.

If a prisoner is committed for trial at the Central Criminal Court (which is a court of the nature of the assizes), he is not *necessarily* sent to the common or sheriff's gaol (Newgate), but he may be sent either to that gaol, or the house of correction at Cold Bath Fields, or the new prison at Clerkenwell.

A. 5. If he is sent to either of those three prisons from one of the police offices in Middlesex, he is conveyed on that occasion in a covered van kept for that purpose, the expense whereof is, I believe, paid by the receiver for the police offices under the Act 3 and 4 Wm. IV., c. 19.

If he is sent from any other place than a police office, he is conveyed by a constable, whose expenses are paid by the overseers of the poor of the place where the prisoner was apprehended, as provided by the 4th section of the Act 27 Geo. II., c. 3.

A. 6. If upon his trial he is convicted and sentenced to death or transportation, he is sent to Newgate, the common gaol; and if such sentence be afterwards commuted to imprisonment, he is, at the discretion of the Crown, either retained in Newgate, or sent to the house of correction at Cold Bath Fields, to undergo his punishment. If sent to the house of correction, he is conveyed in a coach, the actual expense whereof, as well as a fee of 14*s.* 10*d.*, payable to the keeper of Newgate for every prisoner sentenced to transportation and delivered by him out of Newgate, is paid out of the county rate, under the directions of the Act 5 Geo. IV., c. 84, s. 21.

A. 7. If a prisoner is sentenced to transportation at the general or quarter sessions, he is taken to Newgate and given into the custody of the sheriff; he is removed in a covered van hired for the purpose, as also for the purpose of conveying prisoners from the house of correction and the new prison to the sessions-house and back, at an expense varying from about £60 to £80 a-year, which falls on the county rate. There is also a similar expense incurred in respect of the prisoners conveyed from the Westminster Bridewell to, and tried at, the Westminster sessions.

MONMOUTHSHIRE.

A. 1. None that bring any charge upon the county rate.

A. 2. None that make any contribution to the county rate.

A. 3. None that pay money by way of contribution. The borough of Monmouth has been called upon to pay the keep and maintenance of their prisoners in the county gaol, but the amount is not yet agreed upon.

A. 4. The gaol is situated in the assize town, Monmouth.

A. 5. Prisoners are committed to the house of correction in Usk, and are removed, should the assize precede the quarter sessions, to Monmouth for trial. They are removed by a common car, per prisoner, under four, at 1*s.* a mile, if more 9*d.* per mile, the distance 13 miles. The expense paid out of the county rate.

A. 6. If sentenced to death or transportation at the assize, and commuted for imprisonment, it is always in the gaol at Monmouth.

A. 7. All prisoners sentenced to transportation at the quarter sessions are sent to the gaol at Monmouth, to be delivered over to the Government; the expense of conveying paid out of the county rate.

NORFOLK.

A. 1, 2, and 3. No charge is brought upon the county rate by any such liberty or exempt jurisdiction, except as hereinafter mentioned.

The county magistrates do not commit prisoners charged with offences committed in the borough of Castle Rising. They are committed by the borough magistrates, but are maintained in prison at the charge of the county, and the same costs of prosecution are allowed by the county as on the trial of prisoners committed in other parts of the county; but the several parishes constituting the borough are assessed, and pay to the county rate in the same manner as parishes in the county at large.

In the precinct of the cathedral church of Norwich, which is the liberty of the dean and chapter of that church, and is a very small district, the prison has long been dilapidated; and about ten years since, application was made to the county session for permission (which was granted) to commit prisoners from thence to the county gaol, and certain magistrates were appointed by the quarter session for the county and the session for the precinct, for the purpose of making an arrangement as to the maintenance of any prisoners who should be so committed, but what that arrangement was does not appear by the county records. Such commitment is, however, of very rare occurrence, as there has not been one for the last nine years.

A. 4. The Norfolk assizes are now always held at Norwich Castle, of which the county gaol is a part, and most of the prisoners committed for trial at the assizes are immediately committed to that prison, but some are occasionally committed to the distant houses of correction, and thence conveyed to the county gaol immediately before the assizes.

A. 5. The prisoners conveyed for trial from the houses of correction to the county gaol are carried in vans by the respective keepers: the expense is allowed by the visiting justices, and paid out of the county rate, but to what it amounts I have not the means of stating.

A. 6. Prisoners condemned to death, or transportation, remain in the county gaol until execution, or removal to the hulks, or elsewhere.

In cases of commutation of punishments, the prisoners either remain in the custody of the keeper of the county gaol, or are removed by him according to directions from the Home Office; and the expenses of all such removals are paid out of the county rate as allowed by the visiting justices, but the amount I have not the means of ascertaining.

A. 7. Prisoners sentenced to transportation at the adjourned quarter sessions, held at places distant from Norwich, are conveyed by the keepers thereof to Norwich Castle, and are, together with the prisoners convicted at the castle, conveyed by the keeper of that prison to the hulks or elsewhere. The expenses of such conveyance are paid out of the county rate, but the amount I have no means of ascertaining.

NORTHAMPTONSHIRE.

A. 1, 2, 3. Several of the bridges in the liberty and hundred of Peterborough are repaired at the expense of the county of Northampton.

A. 2. None.

A. 3. No sum of money is paid.

A. 4. Prisoners committed for trial at the assizes are sent to the common gaol of the county, situate in the assize town.

A. 5. When committed by the magistrate for trial, he is brought to prison by the constable at an expense of 1*s.* per mile, which is paid out of the county rates.

A. 6. If he is convicted upon trial, and sentenced to death or transportation, he is sent back again to the common gaol, which is contiguous to the place of trial.

A. 7. If sentenced to transportation at the quarter sessions, the convict is taken back to the common gaol by the keeper thereof, who is also the keeper of the house of correction, in whose custody he remains until he is delivered over to the Government. He is removed by the gaoler, per coach, at 1*s.* a mile (lately reduced to 9*d.*), which is paid out of the county fund.

NORTHUMBERLAND.

A. 1. There are not any liberties, or exclusive jurisdictions, in the county of Northumberland, bringing any charge upon the county rate.

A. 2. There are no liberties, or exclusive jurisdictions, in this county, which make any contribution to the county rate.

A. 3. This query is answered by the above; in fact every part of the county is assessed to one and the same county rate.

A. 4. If a prisoner is committed for trial at the assizes he is always sent to the common gaol, though such common gaol is not locally situate in the assize town.

A. 5. All prisoners so sent are conveyed by a constable under a commitment to the common gaol.

When prisoners are conveyed from the common gaol to the assize town, a distance of 14 miles, the gaoler charges the county 12*s.* per day for his, and 7*s.* 6*d.* per day for his assistant's, loss of time, and the actual outlay attending such removal. The actual expense for each prisoner in the latter case cannot be ascertained, as a great deal depends upon the number of prisoners sent each time, and that expense, whatever it is, falls upon the county rate.

A. 6. Every prisoner who is convicted and sentenced to death or transportation (except in cases of murder, when he is executed in the body of the county near to where the assizes are held, and therefore not sent back to the common gaol) is invariably remitted back to the gaol: if, afterwards, the sentence be commuted to imprisonment, he is often taken from the gaol to such local house of correction as the order of commutation may direct, to undergo his punishment.

A. 7. Every prisoner, after being sentenced to transportation at the quarter sessions, is taken to the common gaol and given into the custody of the sheriff, where he remains until he is delivered over to the Government, and therefore he is not left in the custody of a keeper of a local house of correction until he is delivered over. All prisoners so delivered into the custody of the sheriff are taken by the keeper to the common gaol, who always attends the court of quarter sessions. The expense of removal depends upon the number, being generally conveyed in a hired cart, and therefore the expense of each individual prisoner cannot be accurately ascertained, as, for instance, the cost of conveying five will be much less per head, on the average, than for conveying one.

NOTTINGHAMSHIRE.

A. 1, 2, and 3. In this county there are the following liberties and jurisdictions, which bring all their charges upon the county relative to prosecutions and other matters chargeable upon the county rate,

and all the towns and parishes within those jurisdictions are assessed in a full proportion to the county rate; viz., the liberty of Southwell and Scrooby, the borough of Newark, and the borough of East Retford.

A. 4. All prisoners committed for trial at the assizes are sent to the sheriff's gaol, which is situate in the assize town.

A. 5. I apprehend the mode of conveying prisoners to the county gaol must vary according to circumstances; the printed orders furnish an answer to the inquiry as to the expenses which are allowed out of the county stock for this purpose.

A. 6. Prisoners sentenced to death or transportation are detained in, or sent to, the county gaol. If the sentence is commuted (*or originally*) for confinement in the house of correction, which is fourteen miles distant from the assize town, the prisoners are conveyed there by the most economical means, varying according to circumstances, at the expense of the county.

A. 7. Prisoners sentenced to transportation at the quarter sessions are sent to the common gaol, and given into the custody of the sheriff: with regard to the mode and expenses of such conveyance, I refer you to my answer to the two preceding questions.

OXFORDSHIRE.

No return.

RUTLAND.

A. 1, 2, and 3. There are no liberties or exempt jurisdictions in this county.

A. 4, 5, and 6. There is only one gaol in this county, which is the common or sheriff's gaol, and that is situated close to the town of Oakham, in which the assizes are holden. All prisoners committed for trial are in all cases committed immediately to that gaol; and when they are convicted, be the sentence what it may, unless they are immediately discharged, they are sent back to the same gaol, so that there is no expense in conveying prisoners to take their trial after they are committed, nor in conveying them to any place after trial.

A. 7. The same observation applies to prisoners tried at the quarter sessions, both before and after trial, until they are ordered away.

SALOP.

No return.

SOMERSET.

A. 1, 2, and 3. As to charges brought upon, or contributions by *liberties or exempt jurisdictions* to the county rate, I am not aware of any such.

A. 4. If a prisoner be committed for trial at the assizes, he is not necessarily sent to the common or sheriff's gaol, which is not situate in either of the assize towns, but at Ivelchester, and about twenty miles distant from Wells, Taunton, and Bridgewater, the assize towns.

A. 5. It is impossible for me to say in what mode prisoners are conveyed, either to the gaol or houses of correction, for trial either at the assizes or sessions: I presume the modes to be preferred upon such occasions suggest themselves according to circumstances; amongst others, locality, hour of committal where no lock-up house, character of offenders, directions of magistrates, or choice of constables, so as to guard against escapes: but the most usual course is, I believe, for prisoners to be conducted by constables in carts or on foot, either with or without assistance, as cases may require.

With regard to the other branch of this question, as to the removal of prisoners to the assize town for trial, the same mode prevails at the assizes and sessions. Prisoners since Easter session, 1834, have been conveyed to the place of trial in the prison vans, and in covered waggons drawn by draught horses; before that time they were conveyed in the prison vans drawn by post horses only: the *actual expenses only* are paid out of the county rate.

A. 6. If prisoners are convicted and sentenced to death or transportation, they are sent to the common gaol; and if such sentences be afterwards commuted for imprisonment, they are sent either to the house of correction at Shepton Mallet, or Wilton, and conveyed in the same mode as prisoners for trial.

A. 7 If sentenced to transportation at sessions they are taken also to the gaol, where they remain until delivered over to the Government by removal from the gaol, in the prison van drawn by post horses, to the hulks, the actual expense of which *only* is paid out of the county rate.

STAFFORDSHIRE.

No return.

SUFFOLK.

A. 1. All the liberties in the county, so called, viz. the liberty of Bury St. Edmund's, liberty of St. Etheldred, and liberty of the Duke of Norfolk, are assessed to the county rate, from which the charges in respect of matters to which the county rate is liable, arising within the same respectively, are payable, whether for felons, bridges, or other causes.

A. 2. The liberties above referred to contribute their quotas to the rate.

The exclusive jurisdictions as under do not contribute to, nor receive benefit from, the county rate, viz.:

Bury St. Edmund's borough. Dunwich.
Ipswich. Southwold.
Orford.

The boroughs under mentioned, not being exclusive, do contribute, viz.:

Sudbury. Aldeburgh.

The latter was always assessed to the county rate, and paid the same for many years, until about seven or eight years ago, when payment was refused; but, in consequence of proceedings being instituted, they succumbed, and now contribute as heretofore under the old assessment, but will be placed under a new valuation which has lately been proceeding for the division of Woodbridge, within which it is situated.

A. 3. The borough of Sudbury has always contributed to the county rate for the liberty or division of Bury St. Edmund's, within which it is situate. In the year 1829 an equalization of the county rate in the said division took place under 55 Geo. III., c. 51, and the said borough of Sudbury stands assessed in respect of its rateable property proportionally with all the other rateable property of the several parishes therein.

A. 4. If a prisoner is committed for trial at the assizes, he is usually sent to the county gaol, at Ipswich, for the *body of the county*, in which are comprised the three divisions of Beccles, Woodbridge, and Ipswich, to the expenses of which gaol all the said divisions are contributory according to ancient proportions. From this gaol they are conveyed, by the keeper, to Bury St. Edmund's (the present assize town) for trial. They are not, however, *necessarily* sent at all times to the county gaol, but are sometimes committed to the house of correction at *Beccles* and *Woodbridge*, and by the keepers of *those* prisons, in such cases, conveyed to the assize town; but this is of rare occurrence. Prisoners for offences arising within the division or liberty of Bury St. Edmund's are committed to the gaol there situate, being the gaol for the liberty.

A. 5. Prisoners charged with offences arising within the body of the county, if committed to the county gaol, and conveyed by the keeper thereof to the assize town, are so conveyed at the expense of the division in which the offence arises, at a certain rate per mile for each, and maintenance apportioned. Each division raises its separate funds, and has a separate treasurer, though not legal divisions, as the ridings of Yorkshire, or parts in Lincolnshire, but so divided for a century and a half for the convenience of holding the quarter sessions at each of the places.

A. 6. If a prisoner from either of the three divisions upon his trial be convicted and sentenced to death or transportation, he is sent back to the common gaol at Ipswich. If such sentence be afterwards commuted for imprisonment, he is also kept in the said common gaol, to undergo his punishment. If the prisoner so circumstanced be convicted of an offence committed within either of the divisions of Beccles or Woodbridge, the expense is paid by them respectively. If in the Ipswich division, by such last-mentioned division.

In the case of prisoners within the liberty of Bury St. Edmund's, they are sent back to the gaol there situate, and the expense falls upon that division alone.

If a prisoner be sentenced to transportation at the quarter sessions, he has, until in a recent instance which occurred at the last January sessions held at Beccles, been taken by the keeper of the Beccles or the Woodbridge house of correction, as the case might be, to the county gaol at Ipswich, from which prison he is conveyed, by the keeper of that gaol, to the hulks, when an order has been given for his removal by the Secretary of State.

The charge made by the keeper of the county gaol has been at the rate of 1*s.* per mile for each convict, including all expenses of coach hire, &c., except, perhaps, some trifling disbursements for maintenance in London, whilst passing through. This charge is included in his quarterly bill on the divisions.

A. 7. In the case of prisoners sentenced to transportation at the quarter sessions held at Bury St. Edmund's for that division, such prisoners are taken back to the gaol there, and conveyed by the keeper, on an order from the Secretary of State, to the hulks.

In this division the charge is not *per head;* Mr. Orrige, the keeper, being allowed for his care in conveying his prisoners a sum of ten guineas for each journey and all expenses incurred.

The instance alluded to was an order to the keeper of the house of correction at Beccles to convey two transports to their place of destination, instead of taking them to Ipswich for the keeper of the county gaol to convey them, with a view of ascertaining if any saving of expense could be effected by it.

I do not yet know whether it succeeded in that object or not.

SURREY.

A. 1, 2, and 3. There are no exempt jurisdictions in Surrey. There are concurrent jurisdictions in Southwark, Guildford, and Kingston; but as they all contribute to the county rate, the expense of prosecutions, maintenance, and conveyance of prisoners, and also the fees of the coroner (except in Southwark, where he is appointed and paid by the city of London), are defrayed out of that rate. The payments out of the county rate for the year 1833 were—

For Southwark sessions order	£214 14 0
„ Guildford ditto	6 15 10
„ Kingston *none*, but in the preceding year	7 5 10
„ fees to the coroner of Guildford	3 0 0
„ fees to the coroner of Kingston	14 7 9

The duchy of Lancaster, which extends into Surrey, exercises a right of appointing a coroner, who is paid by the county.

His bill in 1833 was £5 11 3

A. 4. Prisoners are committed for trial to the county gaol at Newington; but by a late Act, 5 and 6 Wm. IV., c. 38, may be committed to the house of correction near the place where the assizes or sessions are held.

A. 5. The prisoner is conveyed to gaol by the constable, who is remunerated according to a fixed scale of allowance. He is conveyed to assizes by the gaoler, who is repaid the actual expense, in both cases out of the county rate.

A. 6. Prisoners sentenced to death or transportation are sent back to gaol until such sentence is carried into execution, and conveyed sometimes by van belonging to the county with post horses, sometimes by coach, and the actual expense incurred is paid out of the county rate. When sentence is commuted for imprisonment, the place is always named by the Secretary of State.

A. 7. See the preceding answer.

SUSSEX.

A. 1. 2, and 3. Not any.

A. 4. Prisoners are sent to the common or sheriff's gaol, which is situate in a town where the assizes are *not* now held, except in cases where the offence is not of a grave or serious nature, and then the

magistrates in the eastern division of Sussex have occasionally committed them to the Lewes house of correction, instead of the common gaol, and the keeper of that house of correction has delivered them over to the gaoler at the assizes, to save the expense of conveyance.

A. 5. When prisoners are committed to the common gaol for trial at the assizes, the constable or other peace-officer conveys them there, and the gaoler conveys them from such gaol to the assize town for trial.

The gaoler's charge is 1*s.* per mile for each prisoner; and the whole is paid by the county treasurer out of the rates raised within the respective divisions.

A. 6. If upon trial they are convicted and sentenced to death or transportation, they are again sent back to the common gaol; upon sentence of death being commuted to imprisonment, the clerk of the peace believes it is the invariable practice to remove them to the house of correction for that division of the county in which the offence was committed. They are removed by vans kept for that purpose by the gaoler, at the expense of 1*s.* per mile for each prisoner, which falls upon the rates of that division of the county within which the offence was committed.

It is the practice in Sussex for a prisoner sentenced to transportation at quarter sessions, to be taken to the common gaol by the gaoler, (who attends each quarter sessions for that and other purposes,) in a suitable conveyance, at the expense of 1*s.* per mile per prisoner, which falls upon the rates of that division of the county within which the offender was committed.

A. 7. It has been the practice in the eastern division of the county of Sussex for nearly the last two years, to hold intermediate sessions *for the trial of prisoners only*, at a period of six weeks from each general quarter session, which has been found *most materially* to diminish the expense of the attendance of prosecutors and witnesses, and also the expense of maintenance of prisoners in the house of correction; it is likewise productive of great convenience to jurors and others attending the sessions, who are seldom detained thereat beyond one day, the business being conducted in two courts.

WARWICKSHIRE.

A. 1. The borough of Warwick is the only exclusive jurisdiction which brings a charge upon the county rate, and that only in expenses of prosecutions.

A. 2. All the liberties and exclusive jurisdictions contribute rateably to the county rate in proportion to the other places within the county.

A. 3. Answered by the second.

A. 4. The common or sheriff's gaol is locally situate in the assize town.

A. 5. Answered by the fourth.

A. 6. If a prisoner upon his trial is convicted and sentenced to death or transportation, he is sent back to the common gaol; and if such sentence be afterwards commuted for imprisonment, he is not sent to any other gaol or house of correction in the county to undergo his imprisonment.

A. 7. If the prisoner at the time of his trial is in the custody of the sheriff, he is, on sentence of transportation, taken back to the common gaol; and if in the custody of the keeper of the house of correction, he is sent back to the house of correction.

WESTMORLAND.

A. 4. The gaol is locally situate in the assize town, and prisoners committed for trial are sent there.

A. 5. The prisoner is conveyed to the assize town sometimes in a post chaise or gig. The constables so conveying prisoners are paid at the discretion of the magistrates, not exceeding 1*s.* per mile for each prisoner, and charged upon county rates.

A. 6. If a prisoner is convicted, and sentenced to death or transportation, he remains in gaol, and is not sent to any other prison.

A. 7. Prisoners sentenced to transportation at the quarter sessions held at Appleby remain in the gaol at that place until delivered over to Government. Prisoners tried and convicted at the sessions, when held at Kendal, for offences committed in the Kendal or Lonsdale wards, have sometimes been allowed to remain in the house of correction at Kendal until delivered over by the governor to Government; at other times sent to the gaol at Appleby. The prisoners are removed from Appleby to Kendal and from Kendal, as the quarter sessions fall, either in post chaises or gigs, and sometimes in a covered cart, after the rate of 1*s.* per mile, if only one; if more than one, then 9*d.* per mile each.

WILTS.

A. 1. The borough and parishes in Marlborough are exempt from county rates, but the justices of that borough commit prisoners to the county gaols and prisons, which prisoners are maintained at the county expense. The justices of the borough of Devizes also commit prisoners to the county gaol and prisons.

A. 2. The parishes in the borough of Devizes contribute to the county rate rateably with the other parishes in the county, upon a rate made in the year 1818.

A. 3. Answered above.

A. 4. By order of sessions, in pursuance of statute 4 Geo. IV., prisoners for trial at the assizes are to be committed to the county gaol. Many prisoners are, however, committed to the bridewells at Marlborough and Devizes for trial at the assizes, particularly when two or more are concerned in one felony, in order to keep them separate. The county gaol is not locally situate in Salisbury, the assize town, but in an adjoining parish. The assizes will for the future be held alternately at Devizes and Salisbury.

A. 5. Prisoners are conveyed to prison by the constable or other peace-officer. The actual expense incurred by keepers of prisons in removing felons from such prisons to the assize towns, is allowed out of the county stock, on due proof of such account before the finance committee of the county. The

expense per prisoner is more or less, according to the number conveyed in the county caravan and the distance of the prison whence removed.

A. 6. On conviction, prisoners for death or transportation are sent to the county gaol, unless where the sentence of transportation extends to previous hard labour, in which case they are sent to the house of correction at Devizes, to which prison those whose sentences are commuted for hard labour are also sent to undergo such punishment. Such prisoners are conveyed in the county caravan at the expense of the county, allowed as above, and the amount depending, as above, on the number sent in one conveyance.

A. 7. The same answer applies to this question.

WORCESTER.

A. 1. The following liberties and exclusive jurisdictions in the county of Worcester, viz., the borough of Bewdley, the borough of Droitwich, and the borough of Kidderminster, bring charges upon the county rate for expenses of prosecutions of prisoners at the sessions and assizes, coroner's expenses, and occasionally for the hire of special constables, when riots are apprehended. The borough of Evesham brings no charge upon the county rate, nor does it contribute thereto.

A. 2. The boroughs of Bewdley, Droitwich, and Kidderminster contribute to the county rate in common with the rest of the county, according to the annual value of rateable property therein, as returned by the overseers on oath.

	£.	*s.*	*d.*
Bewdley contributes to a rate at one penny in the pound	28	15	0
Droitwich	35	8	4
Kidderminster	83	6	8

And so in proportion to any greater or less rate.

A. 3. Nothing beyond the county rate, as stated in answer to the second question. The parish of Dudley (which for the purposes of the Reform Act is a borough) is not a liberty or exclusive jurisdiction. The annual value of rateable property therein is £46,400, and it contributes £193. 6*s.* 8*d.* to a penny rate.

A. 4. Prisoners committed for trial at the assizes are necessarily sent to the gaol at Worcester, there being no other gaol in the county. There are lock-up houses at Kidderminster, Droitwich, and Bewdley, which are used for the temporary confinement of prisoners previously to their being committed to the county gaol.

A. 5. Prisoners are conveyed to the gaol at Worcester by the different constables. The expense is paid out of the county rate.

A. 6. All prisoners convicted and sentenced to death or transportation are sent back from the place of trial to the common gaol and house of correction, which are consolidated and under the care of one keeper; and if such sentence be afterwards commuted for imprisonment, they are in every case still confined there.

A. 7. If a prisoner is sentenced to transportation at the quarter sessions, such convict is left in the custody of the keeper of the common gaol as before, till he is delivered over to the Government. They are conveyed by coach from the gaol at Worcester at an expense of sixpence per mile for each prisoner, which expense is paid out of the county rate.

YORKSHIRE.—EAST RIDING.

A. 1. None of them bring any charge upon the East Riding of Yorkshire.

A. 2. None.

A. 3. They do not make any such payment.

A. 4. He is sent to York Castle, the common or sheriff's gaol, which is situate in the assize town. There is a large house of correction at Beverley, but no other common or sheriff's gaol beside York Castle.

A. 5. He is usually conveyed in some carriage, either a coach, chaise, gig, or cart. A great proportion of the expense of his conveyance falls upon the county rate, and the remainder upon the prosecutor.

A. 6. A prisoner sentenced to death is always executed within the walls of York Castle, and when sentenced to transportation is removed from the castle direct to the hulks; but when such sentences are commuted for imprisonment, the convict is frequently sent to the house of correction belonging to the riding within which his offence was committed to undergo his punishment. He is usually sent in charge of a turnkey by a stage coach at an expense of about 30*s.*, the distance between York and Beverley being nearly thirty miles, and this expense falls on the county rate.

A. 7. He is taken to the common gaol (York Castle) to be given into the custody of the sheriff. He is removed by a stage coach, hitherto at an expense of £2 per prisoner; but this is proposed by the East Riding Financial Committee to be reduced. The expense falls on the county rate.

YORKSHIRE.—NORTH RIDING.

A. 1. The boroughs of Scarborough and Richmond, and the city and Ainsty of York, bring charges upon the county rate of the North riding of the county of York, viz., for making out and printing the lists of voters; and Scarborough and Richmond send prisoners to York Castle, to be tried at the assizes, being the county gaol, but do not contribute to the expense of their maintenance, the officers of the establishment, the buildings, or any other expense, except the expense of the prosecutions.

A. 2. None.

A. 3. None.

A. 4. Prisoners committed for trial at the assizes are sent to the common gaol, the castle of York being the gaol for the county of York, and locally situate in the assize town.

A. 5. He is conveyed by the police officer, or constable, by stage coach, gig, or cart, according to circumstances, but whichever mode is adopted he is only paid one shilling per mile, and reasonable expenses for the prisoner's maintenance on the road. The expense is paid out of the county rate.

A. 6. If he is convicted and sentenced to death or transportation, he is sent back again to the said common gaol. If such sentence be afterwards commuted he is generally sent to the house of correction, at Northallerton, in and for the North riding, to undergo his punishment. Conveyed the same way, and the expense paid out of the county rate, the same as conveying other prisoners to gaol.

A. 7. A prisoner, when sentenced to be transported, is conveyed to the common gaol of the county, and given up to the keeper of the common gaol. He is conveyed the same way, and the expense paid out of the county rate, the same as conveying other prisoners to gaol.

YORKSHIRE.—WEST RIDING.

No return.

ANGLESEY.

No return.

BRECKNOCKSHIRE.

A. 1. Some of the persons committed for offences in the borough of Brecon are confined in the county gaol.

A. 2. The borough of Brecon, under an arrangement, pay $\frac{1}{10}$ of the expenses of the county gaol.

A. 3. Vide last answer. The arrangement was entered into between the county and borough magistrates, and I think is a fair one. It was made several years ago, but not for any specific time.

A. 4. There is only one common or sheriff's gaol in the county, and that is situate in the assize town.

A. 5. Vide last answer.

A. 6. Vide answer to question 4.

A. 7. The gaol and house of correction are under the same roof, and there is only one keeper to both.

CARDIGANSHIRE.

A. 1, 2, and 3. The questions relative to liberties and exempt jurisdictions call for no observation from me, as there are none of that description within the county.

A. 4. The sheriff's gaol being locally situated in the town where the assizes are held, prisoners committed for trial at the assizes are always sent to the sheriff's or common gaol to await their trials; but those prisoners who are committed for trial at the quarter sessions are sometimes lodged in the house of correction in the town of Aberystwith, particularly when the quarter sessions subsequent to their committal are to be held there.

A. 5. The mode of conveyance depends upon circumstances; the scale of allowances provides for the constables' fees and the expenses of the prisoner's subsistence; but the court of quarter sessions allow the expense of a vehicle or cart to convey the prisoners, in addition to what has been provided by the scale; the expense falls upon the county stock.

A. 6. Under the circumstances stated in this query, the prisoner is not sent to any other place of confinement, but he undergoes his punishment in the common gaol or house of correction which is attached thereto.

A. 7. When a prisoner is sentenced to transportation at the quarter sessions, he is always taken to the common gaol till he is delivered over to the Government. The expenses cannot be correctly stated, as the gaoler conveys him in a cart which has been provided for the occasion by the county; the expense falls upon the county fund.

CARMARTHENSHIRE.

A. 4. Prisoners committed for trial at the assizes are sent to the house of correction, which is situate in the assize town.

A. 5. The expenses of conveying prisoners to the house of correction are paid by the county according to the rate per mile stated in the scale of allowance sent herewith.

A. 6. Sent back to the said house of correction.

A. 7. Left in the custody of the keeper of the house of correction till he is delivered over to the Government. Prisoners sentenced are conveyed by coach, accompanied by the keeper of the house of correction, at an expense of £15 for each prisoner, which is paid by the treasurer from the county stock.

CARNARVONSHIRE.

No return.

DENBIGHSHIRE.

A. 1. The borough of Denbigh brings a charge upon the county in respect to prosecutions at the borough sessions. The amount is of course fluctuating.

A. 2. The county rate is payable out of the parish funds, and the parishes which are wholly or in part situate within the borough of Denbigh contribute to the county rate. But I am unable to state the amount so contributed, which is paid in respect to the "borough" of Denbigh only.

A. 3. No *composition* is paid by any exclusive jurisdiction.

A. 4, 5, 6, and 7. The gaol is situate in the assize town, and is the only prison in the county where prisoners are confined for safe custody, or in pursuance of any sentence of imprisonment.

FLINTSHIRE.

No return.

GLAMORGANSHIRE.

A. 1, 2, and 3. There is no liberty or exclusive jurisdiction in this county which does not contribute to the county rate equally with the county at large.

A. 4 and 5. Until the last spring the assizes for the county of Glamorgan were held at Cardiff, in the county town, where a new gaol and house of correction has lately been built at a cost of about £10,000. One assize is now held at Swansea, forty-six miles distant. Prisoners committed for trial at assizes are conveyed to gaol by the constable of the place where they may be apprehended, or heard; but by the keeper of the gaol, to the assize, to be tried.

A. 6. Should any prisoner be convicted and sentenced to death or transportation, he is sent back to the county gaol at Cardiff, where he also endures the commuted sentence of imprisonment, if such should happen.

A. 7. A prisoner sentenced to transportation at quarter sessions is also taken to the county gaol from the place at which the sessions are holden, which in this county varies: the Epiphany sessions being at Cardiff; the Easter at Cowbridge; Midsummer at Neath, and Michaelmas at Swansea.

The allowance to keepers of prisons is as under:

For the conveyance of prisoners to the assizes and sessions, sixpence per mile for each prisoner, not exceeding four, and fourpence per mile for each additional prisoner; and each of the said keepers shall receive the expenses *bonâ fide* incurred in the subsistence of their respective prisoners. And the sum of £2 for himself, and of £1 for an assistant (if necessary,) for attendance at the assizes and sessions when the same are not held in the town where their respective prisons are situated.

All the foregoing are charged on the county rates.

MERIONETHSHIRE.

A. 1, 2, and 3. There are no liberties or exclusive jurisdictions in this county, but the inhabitants of the hundred of Mowddy have from time immemorial repaired their own bridges; and although they contribute in the same proportion to the county rate as the other hundreds in the county, they allow 5 per cent. to the county upon the balance of the whole county rate, after deducting the surveyors' salaries, and the expenses of repairing all the bridges in the county, except their own hundred.

A. 4. Prisoners committed for trial at the assizes are sent to the common or sheriff's gaol at Dolgelly.

A. 5. The Spring assizes are held at Bala, (a distance of 18 miles from the common or sheriff's gaol at Dolgelly,) and all prisoners are conveyed in a car or other vehicle, in the custody of the gaoler and his attendants, at an expense of only £2. 2*s.*, which is paid out of the county rate.

A. 6. The prisoner is sent back to the common or sheriff's gaol, to remain there until the sentence be carried into execution; and if the sentence be commuted to imprisonment, he remains there to undergo the punishment.

A. 7. He is taken to the common gaol to be given into the custody of the sheriff, till he is delivered over to the Government; the expense of such delivery on board of the hulks, which is about £12 for one prisoner, £23 for two, and £6 each for every number of prisoners above two, falls upon the county rate.

MONTGOMERYSHIRE.

A. 1, 2, and 3. There are three boroughs within this county, governed by bailiffs who act as magistrates within the limits of their respective boroughs. No quarter sessions have for some years past been held for either of such boroughs, and parties charged with crimes and misdemeanors triable at quarter sessions are committed by the bailiffs to the gaol and house of correction of the county, to be tried by the county magistrates at their county quarter sessions. The expenses chargeable upon the county rates by reason of felonies and other offences committed within these boroughs, are paid by the county treasurer in the same manner as other parts of the county, and they contribute to the county rate in common with the county at large.

A. 4. The only gaol and house of correction for this county are situate at Montgomery, and are incorporated under the same roof. The assizes are held at Welshpool; the quarter sessions at Montgomery. Every person committed for trial is sent to the gaol at Montgomery.

A. 5. Persons committed for trial are conveyed to Montgomery by the constable or other officers of the place from which they are committed, on foot, if they are able to walk, but if not able to walk, the constable in whose custody they are, engages such conveyance as shall be deemed necessary. Hitherto all the prisoners for trial at the assizes have been conveyed to the assize town in a coach, or other conveyance with post horses, at the charge of the county. But the magistrates have now caused a van to be built for the purpose of conveying them to Poole. There is no fixed charge per prisoner.

A. 6. There is no gaol or house of correction in this county, to which prisoners are sent after conviction, other than the gaol and house of correction at Montgomery.

A. 7. The gaol and house of correction are incorporated under the same roof, and are under the care and management of the same officers. When prisoners are removed for transportation they are conveyed by the gaoler, who has been in the habit of providing the conveyance, and is paid 1*s.* per mile for each prisoner by the county.

PEMBROKESHIRE.

A. 1. The town of Tenby is an exclusive jurisdiction, but brings no charge upon the county.

A. 2. None.

A. 3. None.

A. 4. All persons committed for trial are sent to the common gaol of the county, and placed under the care and charge of the gaoler, who is the sheriff's officer, and appointed by him.

A. 5. Prisoners are sent by the committing magistrates in charge of constables. I am not aware what the charge of such conveyance is, as the treasurer pays the amount of the magistrates' order upon the production thereof.

A. 6. In all cases of conviction the prisoner is sent back to the common gaol, whether sentenced to death or transportation, or sentence commuted for imprisonment. There are no other gaols in the county, consequently no expenses fall on the county rate.

A. 7. If a prisoner at the assizes or quarter sessions is sentenced to transportation, he is taken to the county gaol in the custody of the gaoler, who is the sheriff's keeper of the said gaol, until he is ordered off by the Secretary of State; he is then conveyed, pursuant to such order, by the said gaoler, who is paid at a rate fixed by the justices in quarter sessions, for one convict £25, if more than one an additional £7. 10*s.* for each over and above the one, payable out of the county rate. Conveyance by coach.

RADNORSHIRE.

A. 1. Not now.

A. 2. Not exactly so, but the exclusive jurisdiction of the borough of Radnor pays to the county treasurer a stipulated allowance for the lodging and maintenance of each prisoner committed from the borough.

A. 3. They do not pay any such composition.

A. 4. He is sent to the sheriff's gaol, which is in the assize town.

A. 5. After he arrives at the common gaol, there is of course no further expense in conveying him, the gaol being in the town.

A. 6. There is no expense, the gaol being on the spot, as before stated.

A. 7. He is only removed from the court to the gaol.

HIGH CONSTABLES.

Questions addressed to certain High Constables.

Q. 1. By what authority were you appointed high constable of ———?

Q. 2. State fully and particularly the several duties incident to the office, and which of them you are actually called upon to perform?

Q. 3. Over what district do your functions as high constable extend?

Q. 4. Have you any authority, and of what kind and to what extent, over the petty constables of any, and what, parishes?

Q. 5. Are you paid, as high constable, by salary or fees, or both? And state also the nature of your other emoluments, if any, and what is the authority for receiving such fees and emoluments?

Q. 6. If your fees and emoluments are in part derived from charges made on parishes or other districts, in what form are those charges made, and what particulars thereof are delivered to the parishes or districts charged?

Q. 7. What portion of your salary, fees, and emoluments, is paid out of the county rate, and what out of other sources; and state particularly what those sources are?

Q. 8. Do you give any and what security for the moneys passing through your hands as high constable?

Q. 9. Return, according to the table annexed, the amount of emoluments received by you, as high constable, during the years therein mentioned?

Written Answers received to the Questions.

No. 1.—*Answers of Mr.* R. W. Birch, *High Constable of the Hundred of Morleston and Litchurch, Derbyshire.*

Answer 1. I was appointed by the magistrates of the county of Derby, assembled at their court of general quarter sessions of the peace, on the 18th of October, 1814. The appointment was, I believe, in conformity with long usage, and not under the authority of any particular statute.

Ans. 2. The principal duties incident to the office which I am called upon to perform appear, as far as I am able to state, to be these, viz.—

1. The issuing of precepts and official notices.
2. Convening special sessions.
3. Attendance at the assizes.
4. Attendance at the general quarter sessions of the peace.
5. Attendance, when required, at special sessions.
6. Attendance at meetings of deputy lieutenants.
7. Attendance, when required, at meetings of commissioners of taxes.
8. The collection and payment of the county rate.
9. Receiving lists of persons liable to serve on juries.
10. Receiving lists of persons entitled to vote at elections.

*11. The levying of fines upon parishes for not supplying quotas under the Militia and Defence Acts.

*12. The giving of notice to persons entitled to shares of fines paid on conviction of offenders, 41 Geo. III., c. 85, s. 4.

*13. The defence of actions brought against the hundred for damages done by riotous assemblies, 7 and 8 Geo. IV., c. 31.

*14. The levying of sums recovered from the hundred for such damages.

15. Reporting the neglects of petty constables to the magistrates.

†16. Collecting reports quarterly, as to the state of the repair of county bridges, and presenting a consolidated report thereof to the sessions.

†17. Receiving moieties of fines levied in petty sessions, and paying the same over quarterly in an aggregate sum to the county treasurer.

Ans. 3. Over the hundred of Morleston and Litchurch, in the county of Derby. But it is necessary to remark that since the 31st August, 1831, the limits of this, the ancient hundred, are not co-extensive with the limits of the new hundred of Morleston and Litchurch, as fixed under 9 Geo. IV., c. 43, for the purpose of holding special sessions.

The ancient hundred contains forty-eight townships.

The modern hundred, or district for holding special sessions, comprises sixty-one townships.

Although the new arrangement of the hundred of Morleston and Litchurch may be highly convenient as it regards the proximity of townships to the place of holding special sessions, yet mistakes, inconvenience, and extra expense, are occasioned by it in other respects.

The amending Act, 10 Geo. IV., c. 46, *partially* enumerates the difficulties and inconveniences alluded to; but, inasmuch as this statute apparently confers the power of remedying these inconveniences upon the "*same court*" *only* that makes the order for altering the hundreds, it should seem that no subsequent court can avail itself of the provisions of it; so that the words "hundred of Morleston and Litchurch," for certain purposes, (namely, for business connected with special sessions,) mean one district; and the same title or designation, for other purposes, (namely, for the duties of the high constable, the collection of the county rates, for taxes, for the militia, &c.,) means another district: consequently, from the want of invariableness in the limits of a given hundred for all purposes, and from the incompleteness of these statutes, indistinctness of apprehension and mistakes occasionally occur.

I ought, perhaps, to apologize for obtruding these remarks, but they have been suggested by the difficulties which presented themselves upon these enactments when actions were brought against this hundred for damages occasioned by the riots here in 1831.

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* Nos. 11, 12, 13, and 14 are duties of very *in*frequent occurrence. The other *prior* numbers embrace the general ordinary duties of the office. There are also several *minor* duties not actually performed in this county.

† These services are not required by any statute, but are found in practice useful and expedient.

Ans. 4. I have no individual authority whatever, as High Constable, over the petty constables of my district. I can merely take notice of their defaults, report thereon to the magistrates of the division, proceed against them by summary process for the penalties incurred, or cause them to be indicted for wilful neglect of duty. Previously to the passing of the Act 8 Geo. IV., c. 38, which abolished certain presentments, the high constable issued his *own* precept for the return of presentments to the assizes and the general quarter sessions of the peace; but this practice, of course, is now discontinued.

Ans. 5. I have no salary, but receive fees from each township in my hundred quarterly, according to the number of precepts issued and the business transacted. I also receive a poundage from the county for collecting and paying over to the treasurer the county rate once in each quarter, viz., sixpence in the pound; but this remuneration is limited not to exceed £12 10*s.* in any one quarter.

I derive no other emolument whatever from this appointment, excepting the fee of £4 14*s.* 6*d.* a-year for attending the court of quarter sessions, and occasionally, on the stopping up of public footways, &c., a fee of 2*s.* 6*d.* for every notice served upon the magistrates of the hundred of the time of holding a special sessions for that purpose.

The only authority for the receipt of fees in this county is, I presume, merely immemorial usage; and the amount of fees allowed to be received has been regulated from time to time by the court of quarter sessions, the last of which regulations took place on the 28th April, 1829; and it is upon the authority of this table of fees that the emoluments above referred to are now received.

A printed copy of the table of the high constable's fees is annexed.

Ans. 6. My fees and emoluments being, as before stated, derived in part from charges made on parishes and townships, a printed form of account detailing the particulars of each item of charge separately is delivered to each overseer, accompanied by a receipt for the same, on his payment thereof quarterly.

Ans. 7. The proportion of the gross annual aggregate amount of fees and emoluments paid to me out of the county rate, on an average of five years, appears to be about one-third part of the whole, viz., £61 2*s.* 6*d.*, and the remaining two-third parts (or £129 16*s.* 8*d.*) have been received from parishes.

These are the only sources whence I derive remuneration, excepting when a special sessions is convened at the instance of a private individual, in which case the fees are usually paid by the individual instead of being charged to the county.

Ans. 8. Yes. A bond from myself, and a surety in the penal sum of £800.

Ans. 9. The following is my return of the gross emoluments received by me as high constable during the five years ending 1834, and without any deduction whatever being made on account of the expenses of executing the duties of the appointment.

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	Nil.	139 6 0	48 8 7	Nil.
1831	,,	,,	*3 13 6	145 15 0	62 11 0	,,
1832	,,	,,	Nil.	130 10 0	63 0 0	,,
1833	,,	,,	,,	114 14 0	66 0 0	,,
1834	,,	,,	,,	118 18 6	61 19 9	,,

R. W. Birch.

High Constable's Fees referred to in Mr. Birch's Fifth Answer.

Derbyshire, to wit.—At the general quarter sessions of the peace of our Sovereign Lord the King for his county of Derby, held at the Town Hall, in Chesterfield, in the said county, on Tuesday, the 28th day of April, 1829, before the Right Honourable George Charles, Lord Vernon, the Honourable Henry Manners Cavendish, and others, Justices, &c.:

Ordered,—That in future the High Constables of the several hundreds within this county shall be entitled to demand and receive for their services the fees specified in the following Table, which has been submitted to, examined, and approved, by this court, in lieu of the fees heretofore taken by them.

To be paid by Petty Constables.	£.	s.	d.
1. For every notice of the assizes and sessions respectively, or of either of them, when required to be given under an order in writing from any competent authority	0	1	0
2. For every other notice or precept issued under the hand of the high constable, including the preparation thereof, the cost of printing, the expense of service, entering minutes, and adducing subsequent proof of such service—each constablewick	0	2	0
3. For the delivery of every warrant, summons, or order, under the hand of one or more of His Majesty's justices of the peace, deputy lieutenants, or commissioners of taxes, or of the clerk of the peace or other superior officer; and for every copy of an order of court, of resolutions, of any general notice, duplicate of taxes, form of return or schedule (if *unconnected* with a precept), or other document issued by the legal authorities through the high constable to any parochial officer or other person within the several parishes, townships, or places of his hundred—each constablewick	0	1	6
4. For the delivery at the same time of every duplicate or other copy of any notice, precept, warrant, order, schedule, or other document, in cases where it shall be necessary to deliver the same to more than one officer or person in the same township, or to the officers of separate townships in the same constabulary, but not for any number of copies more than one, when merely delivered to one and the same officer or person	0	0	3
5. For receiving lists of persons liable to serve on juries, land-tax duplicates, or any other return of a public nature, afterwards arranging the same, and delivering them to the clerk of the peace, or transmitting them to any other department, including the preparation and delivery of receipts for such duplicates, pursuant to the Act 30 Geo. III., c. 35, sec. 3.—each return .	0	1	0
6. For every petty constable's article, to be delivered annually at Midsummer	0	2	6
7. For every detailed quarterly account of fees to be paid by each constablewick, including the printing thereof, and the receipt to the same	0	0	6

N.B. It is required by the court that the high constables shall perform the services referred to in the items Nos. 2 and 3 personally, or by a messenger specially sent for the purpose, that the delivery of the process may be proved if necessary; and they will not be entitled to any fee in case of default therein.

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* For Population Returns under 11 Geo. IV., c. 30, s. 10.

To be paid by the County Treasurer.

	£.	s.	d.
8. For every notice given to a justice of the peace, or left at his place of residence within the hundred, of the time and place of holding the general quarter sessions of the peace, or any adjournment thereof; or of the time and place of holding a special sessions, or any adjournment of the same; and also for the delivery of every copy of an order of court or other public document, notice, or circular to each justice of the peace within the hundred, if the same respectively shall be specially directed to be so given, or delivered by an order in writing, from any competent authority	0	2	6
9. For attending the court at the assizes, and the general quarter sessions of the peace respectively; and for attending any special sessions, meeting of deputy lieutenants, or meeting of commissioners of taxes, when such attendance shall be expressly required by any competent authority—each day	1	1	0
10. And for horse-hire and expenses, when necessarily incurred by reason of such attendance—each day	0	10	6
11. For presenting a petty constable or other parochial officer for neglect of duty, and attending to give evidence upon such presentment before the grand jury	1	1	0
12. For apportioning, collecting, and levying by distress when necessary, and afterwards paying over and accounting for the county rate, quarterly.—Also for collecting assessments in cases of damages being recovered upon actions brought against the hundred.—Also for collecting fines for not supplying quotas under the Militia and Defence Acts; and for receiving and accounting for all other fines and penalties levied or received by the high constable in aid of the general county stock—*the sum of* 6*d. in the pound, but not exceeding the sum of* £12 10*s. for any one rate.*			
13. And for providing stamped receipts to be given on the collection of the county rate, &c.—*the amount of duty chargeable thereon.*			

By the Court,
VERNON, Chairman.

No. 2.—*Answers of Mr.* WM. LOWE, *High Constable of the Hundred of Repton and Gresley, Derbyshire.*

Answer 1. I was recommended to the office of high constable by the magistrates acting for the hundred of Repton and Gresley, and was appointed by the justices assembled in court of quarter sessions, and duly sworn to execute the office.

Ans. 2. The several duties incident to the office, and which I am actually called upon to perform, are, that I am required to issue precepts from time to time to the various parochial officers of each separate township within the hundred, either in obedience to the immediate direction of an Act of Parliament, the warrants I may receive from time to time from justices of the peace in petty sessions or general quarter sessions, the warrants of the deputy lieutenants and commissioners of taxes, or the precepts of the clerk of the peace; and to cause such precepts to be so delivered to the party whose duty it is to obey them as to ensure legal proof as to his having received due notice thereof, in order that public business may not be delayed.

To apportion amongst the townships the sum of money required to be raised in the hundred in each quarter of the year, and demand the payment from the churchwardens and overseers of the poor, and to attend and receive the rate; to attend every special sessions held within the hundred, and the several adjournments thereof, and all other meetings of justices, deputy lieutenants, and commissioners of taxes, to show that proper notice has been served; also to receive the lists of voters, and transmit them to the clerk of the peace; to attend the assizes and quarter sessions of the peace, to receive the orders of the court; and to return into the court of quarter sessions the lists of persons liable to serve on juries, and to account for and pay over all moneys collected for the use of the county, including fines levied before the magistrates in the hundred on summary convictions; to transmit a written report to the magistrates, at every quarter sessions, of the state of the several county bridges in the hundred; to receive the population returns, and deliver them to the clerk of the peace.

Other duties, which I have never been called upon to perform, are, the summoning coroners' juries; the requiring the attendance of petty constables at elections, popular meetings, executions, and courts of justice, and to assist the officers of excise and customs; in relation to billeting of the local militia when called out on permanent duty; in relation of providing the local militia with carriages for the conveyance of arms and stores when called out for the suppression of riots and unlawful assemblies; in relation to the quartering of men and the conveyance of stores belonging to the regular army and the marines, under the Mutiny Acts; and in relation to the defence of actions, on behalf of the inhabitants of the hundred, brought against them for damages committed by riotous assemblies, &c.

Ans. 3. My functions extend over the hundred of Repton and Gresley, which contains the following parishes and townships:—

Appleby	Castle Gresley	Rosliston
Bradby	Hartshorn	Ravenstone
Cauldwell	Ingleby	Stanton and Newhall
Catton	Linton	Stanton by Bridge
Chilcote	Lullington	Stapenhill
Chellaston	Measham	Swarkston
Croxall	Milbourn	Smisby
Calke	Newton Solney	Swadlincote
Coton-in-the-Elms	Normanton	Stretton-en-le-fields
Drakelow	Osmaston	Ticknall
Derby Hills	Oakthorpe and Donisthorpe	Walton
Formark	Packington	Winshill
Church Gresley	Repton	Willesley

Ans. 4. If any of the petty constables make default, or are remiss or negligent in their duty, I execute process, which may be issued against them, in order to enforce the early performance of their duty, so as to prevent the obstruction of public business.

Ans. 5. I have no salary; I am paid by fees for the precepts, charged to the parishes quarterly; and I have an emolument of sixpence in the pound for apportioning, collecting, and paying over the county rate, and one guinea and a half a day for attending the quarter sessions, and for horse-hire and expenses, which charges are inserted in the table of fees allowed by the magistrates at the April quarter sessions, 1829.

Ans. 6. The charges are made to the parishes in the form of the quarterly account following:—

Derbyshire, Hundred of Repton and Gresley. } To the Constable of the Township of

An Account of the Charges of the High Constable, for the Fourth Quarter of the Year 1834, for Notices and Precepts issued under his Hand, including the Preparation thereof, the Cost of Printing, the Expense of personally serving the same, and the adducing subsequent Proof of such Service, &c.

1834.	£.	s.	d.
Sept. 24th. Attending to receive the jury list, arranging the same, and delivering it to the clerk of the peace	0	1	0
Sept. 24th. Precept to constables, giving notice of the days appointed for transferring ale-house licences	0	2	0
Nov. 17th. Precept for constables and overseers of the poor to attend a justices' meeting on the 17th of December, 1834	0	2	0
Precept for special sessions for the highways	0	2	0
Precept for the county rate, (fourth quarter)	0	2	0
This account of quarterly charges	0	0	6
	£0	9	6

	£.	s.	d.
County rate			
Quarterly charges			
£.			

Dated the 17th of December, 1834.

Ans. 7. The emolument of sixpence in the pound for apportioning and collecting the county rate, and the guinea and a half for attending the sessions, are paid out of the county rate, under an order of the court of quarter sessions; the fees for precepts issued are paid by the parish officers.

Ans. 8. I give security (a joint bond) to the amount of £600 for money that passes through my hands.

Ans. 9. I return, according to the table, the amount of emoluments received by me as high constable, during the years mentioned in the said table.

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	Nil.	97 0 0	56 5 6	
1831	,,	,,	,,	103 6 6	63 19 6	
1832	,,	,,	,,	98 19 0	54 9 0	
1833	,,	,,	,,	86 5 0	55 4 0	
1834	,,	,,	,,	82 7 6	51 1 6	

The above sums are the gross amount received. Wm. Lowe.

N.B. During the years stated I have, upon a few occasions, received a few pounds for giving notice of special sessions for turning highways; but I have always been paid by the party who made the application to the magistrates, and not out of any public money.

No. 3.—*Answers of Mr.* O. Hustler, *Chief Constable of the Hundred of Hinckford, Essex.*

Ans. 1. By the justices in quarter sessions.

Ans. 2. To collect the county rates; to issue precepts to the petty constables, calling upon them to perform certain duties under the direction of the justices, such as the appointing of overseers, surveyors of highways, and collectors of land and window duties; for the licensing of ale-houses; transferring of licences; for the levying of county rates; for the returning lists of jurors, lunatics, &c., &c.; to attend and take charge of the constabulary forces at elections of Members of Parliament.

Ans. 3. Southern division of the hundred of Hinckford, containing 24 parishes, namely,

Alphamstone	Henny, Little	Stebbing	
Bocking	Lamarsh	Stisted	
Braintree	Middleton	Twinsted	
Bures Hamlet	Panfield	Weathersfield	
Felsted	Pebmarsh	Wickham St. Paul	
Gosfield	Rayne	Colne Earls	Lexden Hundred.
Halsted	Saling, Great	Colne Engaine	
Henny, Great	Shalford	Colne White	

Ans. 4. This query is answered above, with reference to the second and third queries.

Ans. 5. By a per-centage of the treasurer of the county, for collecting and paying over the county rates; by trifling fees received of the parishes on issuing of precepts; and for attendances at elections,—[the latter paid by the county.] Received by authority of the justices. There are no other emoluments.

Ans. 6. An account detailing the particulars is delivered to the overseers of each parish half-yearly.

Ans. 7. This query is partly answered above with reference to the fifth query. The sum received from time to time of the treasurer varies, of course, according to the amount required to be collected; and sixpence a-mile is allowed for travelling expenses.

Ans. 8. A bond for £500, with a surety.

Ans. 9.

Years.	Per Centage paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	7 10 0	Nil.	Nil.	18 0 0	11 6 0	Nil.
1831	7 10 0	,,	,,	18 5 0	10 15 0	,,
1832	7 10 0	,,	,,	18 0 0	10 15 0	,,
1833	6 4 6	,,	,,	14 0 0	10 6 0	,,
1834	6 12 0	,,	,,	13 18 0	9 12 0	,,

O. Hustler.

No. 4.—*Answers of Mr.* Robert Cunnington, *Chief Constable of the Hundred of Witham, Essex.*

Ans. 1. On the recommendation of several justices of the peace for this division, I was appointed one of the chief constables of the Hundred of Witham by the justices in quarter sessions on the 16th October, 1827.

Ans. 2. To collect all county and gaol rates, fines and penalties, and pay them to the treasurer. To attend petty sessions and receive jury lists, and return them to the quarter sessions. To receive lists of persons claiming to vote for members of Parliament, and deliver them to the clerk of the peace. To receive all bills from the petty constables for conveying prisoners to gaol, and other claims to be paid by the county, receiving the amount and paying same to them. To send out orders sent from the clerk of the peace by order of sessions. To issue precepts for county and gaol rates, and for lists of persons liable to serve on juries. To deliver or send out all precepts of the justices signed at petty sessions, and to direct and instruct petty constables in the execution of their duties.

Ans. 3. My functions extend over the whole of Witham Hundred, (16 parishes,) but my district is confined to eight parishes; Mr. Speakman, the other chief constable, has the other eight. In case either die, the survivor to take charge of the whole until another is appointed.

Ans. 4. Petty constables, I consider, are bound to obey any lawful order I may think proper to give in the execution of their duties; and my authority is the same in my district (perhaps the whole Hundred) as that of a petty constable within his parish. The parishes in my district are Bradwell, Great Braxted, Little Braxted, Little Coggeshall, Cressing, Kelvedon, Rivenhall, and Witham.

Ans. 5. I have no salary. I have a penny in the pound for collecting and giving receipts for the county and gaol rates, and a shilling a mile going to the quarter sessions and paying the same to the treasurer, and I am paid by the county eight shillings for carrying and delivering to the clerk of the peace the lists of persons claiming to vote; for this purpose I have to go to Chelmsford, a distance of eight miles.

Ans. 6. My fees are derived mostly from charges made on parishes, a particular of which, for the last six months, follows:

1835 and 1836. The Parish of

To R. Cunnington, High Constable.

	£.	s.	d.
List of justices' meetings for the year	0	1	6
Justices' clerk's fee	0	0	0
Precept or notice of appeal taxes	0	1	6
Precept for list of persons nominated overseers	0	1	6
Clerk's fee	0	0	0
Ditto ditto constables	0	1	6
Clerk's fee	0	0	0
Ditto ditto assessors	0	1	6
Clerk's fee	0	0	0
Ditto ditto for surveyors to make returns	0	0	0
Clerk's fee	0	0	0
Ditto ditto to pay taxes	0	1	6
Ditto ditto to return list of ale-houses	0	0	0
Clerk's fee	0	0	0
Ditto ditto for return of jury lists	0	0	0
Clerk's fee	0	0	0
Ditto ditto to return list of idiots, &c.	0	0	0
Clerk's fee	0	0	0
Ditto ditto with land-tax duplicates	0	0	0
Ditto ditto for list of persons nominated surveyors	0	0	0
Clerk's fee	0	0	0
Ditto ditto ale-house special sessions	0	1	6
Receiving and returning list of persons claiming to vote	0	1	6
Ditto ditto list of persons liable to serve on juries	0	1	6
Precept with Militia Schedules A. and B.	0	0	0
Ditto for return of persons liable to serve	0	0	0
Ditto with apportionment of Militia	0	0	0
Ditto ditto citing balloted men	0	0	0
Ditto calling out the Militia for training	0	0	0
	£0	13	6

Ans. 7. The county only pay the poundage on the rates; for each precept, for them, 1*s.* 6*d.*, and a shilling a mile going to Chelmsford. The parishes pay me 1*s.* 6*d.* each for all other precepts, orders, notices, &c., delivered or sent by me to the petty constables concerning their respective parishes.

Ans. 8. I gave security for the moneys passing through my hands, I think to the amount of a penny rate for a quarter, but the clerk of the peace has the bond.

Ans. 9. The return I have made out and forwarded, which I believe to be correct.

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	2 8 0	9 12 0	3 18 6	Nil.
1831	,,	,,	3 12 0	13 17 0	4 13 1½	,,
1832	,,	,,	2 8 0	10 17 6	4 10 6	,,
1833	,,	,,	3 12 0	10 16 0	4 16 0	,,
1834	,,	,,	1 16 0	8 8 0	2 17 2	,,

N.B. 1834.—Only 3 county rates instead of 4, and poundage reduced from three-halfpence to *one penny*. ROBERT CUNNINGTON.

No. 5.—*Answers of Mr.* W. ROWSON, *High Constable of the Division of Prescot, in the Hundred of West Derby, Lancashire.*

Ans. 1. I was appointed High Constable of the Division of Prescot in the Hundred of West Derby, in the County of Lancaster, by the court of general quarter sessions of the peace, held at Kirkdale, in and for the said Hundred and County, on a recommendation from the magistrates acting within and for the Division of Prescot. I have been High Constable for more than twenty years, but the recommendation and appointment are made annually.

Ans. 2. The duties incident to the office are,—1st. Collecting the county rates quarterly from the overseers of the poor of twenty-eight townships within my division, and remitting the same to the several treasurers and other persons appointed to receive the same. I account for the proceeds on the first day of every quarter sessions, when my accounts are examined by a committee of justices and afterwards allowed by the chairman in open court. 2nd. Executing the precept of justices for the appointment of surveyors of the highways and for passing their accounts, but this duty is abolished by 5 and 6 Will. IV., c. 50. 3rd. The like for the appointment of overseers of the poor and for passing their accounts. 4th. The like for granting of licences to inn-keepers and alehouse-keepers. 5th. Executing precept of commissioners of land and assessed taxes for the appointment of assessors. 6th. Executing warrant of clerk of the peace for returns of jurors, and issuing precepts to churchwardens and overseers of the poor thereon, receiving returns from petty sessions, and delivering same upon oath to the clerk of the peace at quarter sessions. 7th. Receiving lists of county voters from overseers of the poor, and delivering same to the clerk of the peace. 8th. Complying with the requisitions of 7 and 8 Geo. IV. c. 27, as to remedies against the hundred for damage occasioned by riots: all which, with the exception of the 2nd and 8th, are duties which I now perform.

Ans. 3. My functions, as High Constable, extend over three parishes and one extra-parochial place,—viz. the parish of Prescot, comprising fifteen townships, viz. Bold, Cronton, Cuerdley, Ditton, Eccleston, Parr, Penketh, Prescot, Rainford, Rainhill, Great Sankey, Sutton, Whiston, Widnes, and Windle; the parish of Huyton, comprising three townships, viz. Huyton cum Roby, Knowsley, and Torbock; the parish of Childwall, comprising nine townships, viz. Allerton, Childwall, Garston, Hale, Halewood, Speke, Wavertree, Little Woolton, and Much Woolton; and the extra-parochial place of Croxteth Park, which form my division.

Ans. 4. The authority I have over the petty constables of the several townships within my division, is to require them by warrant under my hand, as High Constable, to aid me in the performance of my duties 2, 3, 4, and 5, within their respective constablewicks.

Ans. 5. I am paid, as High Constable, by salary only.

Ans. 6. The last is an answer to this query.

Ans. 7. The whole of my salary is paid out of the county rate, and from no other source.

Ans. 8. I do not give any security for the moneys passing through my hands as High Constable.

Ans. 9. The amount of salary received by me, as High Constable, in each of the years 1830, 1831, 1832, 1833, and 1834, was £45. I have not any other emoluments. W. ROWSON.

No. 6.—*Answers of Mr.* ROBERT WARING, *High Constable of the Division of Ormskirk, Lancashire.*

Ans. 1. There are four High Constables appointed for the Hundred of West Derby, each acting over a particular district, and the magistrates of each division annually recommend the High Constable, and on that recommendation at the Epiphany quarter sessions the court make the appointment.

Ans. 2. The principal duty is to collect the county rates from the overseers of the townships within the division of Ormskirk; to issue precepts to the petty constables for the appointment of assessors of taxes, overseers of the poor, and other officers; to see to the execution of all bench warrants issuing from the quarter sessions; and generally to obey the commands of the magistrates: all which duties are actually performed.

Ans. 3. Over the division of Ormskirk, which comprises fifteen townships.

Ans. 4. A general authority over all petty constables in the division of Ormskirk in directing them to execute all warrants and precepts directed to the High Constable.

Ans. 5. By salary only.

Ans. 6. Salary only.

Ans. 7. The whole salary is paid out of the county rate.

Ans. 8. A joint and several bond in £1,500.

Ans. 9. A salary of £30 a-year. ROBERT WARING.

No. 7.—*Answers of Mr.* BOYS ALDHAM, *Chief Constable of the Hundred of Freebridge Lynn, Norfolk.*

Ans. 1. I was appointed high constable of the Hundred of Freebridge Lynn, by the justices of the peace at their general quarter session.

Ans. 2. The duties of my office as chief constable are to execute all warrants which the justices of the Hundred may think proper to order. To issue precepts to the petty constables for them to give notice of the petty session for granting ale licences. The like for the appointment of overseers. To issue precepts to the petty constables for the several special sessions for the highways. The like to return the lists of jurors, and on receiving the precepts from the clerk of the peace to make a quarterly assessment of the quota to be paid by each parish towards the county rate, and to issue precepts to each parish in the Hundred to collect the same, to make such rate, and issue the precepts accordingly. To receive the amount from the several petty constables, and pay it over to the county treasurer. To receive the lists of lunatics and jurors, and attend the quarter sessions to return the same to the clerk of the peace. Also to attend the several special sessions of the peace for the Hundred, and to execute the several precepts of the deputy lieutenants on the petty constables in the subdivision, requiring them to make out lists of persons liable to serve in the militia, and the several other precepts issued by the deputy lieutenants. These duties are actually performed.

Ans. 3. Over the Hundred of Freebridge Lynn, which consists of 34 parishes.

Ans. 4. I consider the petty constables are obliged to execute the above-described precepts from me, but I know of no other authority I have over them.

Ans. 5. I have no salary, but receive 5*s.* a quarter from each parish under an authority of the general quarter session. The overseers also pay 2*s.* with their jury lists and lunatic lists, for the trouble and expense of attending the quarter session, and making the return to the clerk of the peace.

Ans. 6. The charge of 5*s.* to each parish is added to the county rate, and the other fees are paid by the overseers.

Ans. 7. No other salary or fees are taken than above stated.

Ans. 8. No security is required.

Ans. 9.

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	Nil.	47 12 0	Nil.	Nil.
1831	,,	,,	,,	47 12 0	,,	,,
1832	,,	,,	,,	47 12 0	,,	,,
1833	,,	,,	,,	47 12 0	,,	,,
1834	,,	,,	,,	47 12 0	,,	,,

BOYS ALDHAM.

No. 8.—*Answers of Mr.* JOHN OVERTON, *Chief Constable of the Hundred of Gallow, Norfolk.*

Ans. 1. The common law, or by statute 13 Edw. I. s. 2, and see also 55 Geo. III. cap. 51. I was appointed by the magistrates.

Ans. 2. The superintendence and direction of all petty constables within the district or Hundred of Gallow; the issuing of precepts concerning the appointment of overseers of the poor, and surveyors of the highways; issuing precepts for licensing of ale-houses; levying county rates; issuing precepts for and returning jury lists, and executing all other precepts, orders, and warrants, to me directed by the clerk of the peace and the magistrates, and receiving and returning lists of voters; all of which I do.

Ans. 3. The Hundred of Gallow, comprising 32 parishes, viz.:

Alethorpe	Helhoughton	Little Ryburgh
Bagthorpe	Houghton	Sculthorpe
Barmer	Kettlestone	Shereford
East Basham	Pensthorpe	Stibbard
West Basham	Pudding Norton	Syderstone
North Basham	East Rainham	Little Snoring
Broomsthorpe	West Rainham	Tatterford
Dunton	South Rainham	Tattersett
Fakenham	East Rudham	Testerton, and
Fulmodeston	West Rudham	Toftrees.
Hempton	Great Ryburgh	

The total number of inhabitants in this Hundred in the year 1831 was 9,378.

Ans. 4. My answer to No. 2 will apply to this question.

Ans. 5. A compensation of 5*s.* from every parish within my district is allowed to me for all the duties devolving upon me in the collection of the county levy, and which is paid to me out of the funds of the respective parishes pursuant to the authority, I believe, given to the magistrates by stat. 55 Geo. III. cap. 51, sec. 16; and all my other fees or emoluments do not exceed the sum of £5 annually, being allowed only 2*s.* from each parish in respect of the jury lists, and 1*s.* 6*d.* from each parish in respect of the surveyors of highways.

Ans. 6. My principal emoluments are derived from the collection of the county levy as stated in my answer to Question 5, and I have invariably been paid by the parish officers at the time of collecting the same, and for which I have been in the habit of giving receipts.

Ans. 7. No portion of my fees or emoluments is paid to me out of the county rate. The compensation allowed to me has always been paid out of the funds of the respective parishes within my district, and a reference to my answer to Question 5 will show the fees or emoluments I am in receipt of. And I beg to observe that for many of the duties which I have to perform I receive no compensation whatever, and I notice the receipts and returns made by me of the lists of voters and the precepts to the petty constables as to alehouse licences.

Ans. 8. No security was ever required.

Ans. 9. I have done so as follows:

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	Nil.	Nil.	Nil.	36 16 0
1831	,,	,,	,,	,,	,,	36 16 0
1832	,,	,,	,,	,,	,,	36 16 0
1833	,,	,,	,,	,,	,,	36 16 0
1834	,,	,,	,,	,,	,,	36 16 0

The above sum of £36. 16*s.* is divided between Mr. Benjamin Francis, the other chief constable of the Hundred of Gallow, and myself.

The expenses to be deducted from the above sum of £36. 16*s.* for sending out notices and for stationery are not less than £12 per annum.

JOHN OVERTON.

No. 9.—*Answers of Mr.* ROBERT SEWELL, *High Constable of the Hundred of South Greenhoo, Norfolk.*

Ans. 1. Under the authority, I believe, of the common law, by the justices assembled at the general quarter sessions of the peace for the county of Norfolk, on the recommendation of the justices acting for the Hundred of South Greenhoo, I was appointed.

Ans. 2. The following duties are incident to the office, all of which I perform, viz. I execute precepts for the justices, and I superintend and direct the petty constables in the district; I attend the justices in case of riot or tumult; I issue precepts for appointing overseers of the poor, for licensing ale-houses, for levying of county rates, and for returning lists of jurors.

Ans. 3. Over the district of South Greenhoo, containing twenty-four parishes.

Ans. 4. I am not aware that I have any statutory power over petty constables. If I am directed by the justices, I command them to execute precepts, &c.; and whenever I am acquainted with the misconduct of any petty constable, I report such misconduct to the justices, who fine him.

Ans. 5. I am paid by fees, not by salary. I have no other emoluments. I believe the magistrates of the county authorize the receiving such fees.

Ans. 6. My fees are wholly derived from parishes. There are two chief constables in South Greenhoo; conjointly we receive £27 12*s.* per annum, being 5*s.* for each parish per quarter for collecting and paying the county levy to the county treasurer, and 3*s.* for each parish per year for attending to receive the jury lists and for attending at the general quarter sessions to deliver in such lists on oath. The particulars of the charges delivered to the parishes for collecting the county levy are as follows.

	£.	s.	d.
Swaffham county levy	21	5	0
Chief constables' fee		5	0
	£21	10	0

I deliver no particulars for the jury list fee.

Ans. 7. No salary, fees, or emoluments out of the county rate; from other sources, that is, the parishes in the district, I receive £13 16*s.* per annum, being a moiety of the above sum of £27 12*s.*

Ans. 8. I give no security.

Ans. 9.

Years.	Salary paid out of County Rate.	Salary paid out of other Sources.	Fees paid out of County Rate.	Fees paid out of other Sources.	Emoluments paid out of County Rate.	Emoluments paid out of other Sources.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
1831	,,	,,	,,	,,	,,	,,
1832	,,	,,	,,	,,	,,	,,
1833	,,	,,	,,	,,	,,	,,
1834	,,	,,	,,	13 16 0	,,	,,

My predecessor received the like fees for the years 1830, 1831, 1832, and 1833.

ROBERT SEWELL.

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THE THIRTEENTH

REPORT

OF THE

COMMISSIONERS

OF

HIS MAJESTY'S

Woods, Forests, Land Revenues, Works and Buildings;

BEING THE

SEVENTH ANNUAL REPORT

OF THE SAID COMMISSIONERS:

IN OBEDIENCE TO AN ACT OF 10 GEORGE IV. (Cap. 50.)

Dated 19th August 1836.

Ordered, by The House of Commons, *to be Printed,*
19 *August* 1836.

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To the Honourable the Knights, Citizens, and Burgesses,
in Parliament assembled.

THE THIRTEENTH REPORT

Of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings;

BEING

THE SEVENTH ANNUAL REPORT

OF

THE SAID COMMISSIONERS.

LEASES, &c. granted. Appendix, No. 1.

IN the course of the year ended the 5th day of January last, the several Leases have been granted of which the particulars are detailed in the annexed Schedule, No. 1. Of the Property comprised in the said Leases, the Annual Value, according to Estimates made, preparatory to the granting of the said Leases, was £. 3,793. 11. 6.; the clear yearly Rents reserved, £. 3,498. 18. 8., exclusive of the proportion reserved to the Crown of the produce of the Mines, &c., of which a part of the said Property consisted; but including the Annual Sum of £. 102. 15. 2., reserved as additional Rent, in lieu of the Land Tax, redeemed by the Crown, on a portion of the said Property; and the Fines paid for the new Leases, amount to £. 7,258. The Annual Value of such part of the said Property as had been before in Lease, when the last preceding Leases were granted, was £. 1,540. 9.; the Rents reserved, £. 828. 1. 9.; and the Fines paid, £. 1,564. 1.; making an increase in the Annual Rent, under the new Leases, &c., of £. 2,670. 16. 11. (including the said additional Annual Rent of £. 102. 15. 2., in lieu of redeemed Land Tax), and in the Fines of £. 5,693. 19., exclusive of the share, which may accrue to the Crown, of the produce of the said Mines, &c.

Underleases granted to a Trustee for the Crown. Appendix, No. 2.

THE Appendix, No. 2, contains an Account of an Underlease granted by Messrs. John Lavicount Anderdon, and Charles John Manning, to a Trustee for the Crown, of certain Premises in New Bank Buildings, London, occupied as an Office for the sale of Stamps on Sea Policies, under the direction of the Commissioners of His Majesty's Stamp Duties: also, of an Underlease granted by Ralph Colley Smith, Esquire, and others, to a Trustee for the Crown, of the House No. 23, Essex-street, Strand, formerly occupied as the Office of the late Commissioners for licensing and regulating Hackney Coaches, &c.

Sales of Land Revenue in England and Wales. Appx, Nos. 3 & 4.

APPENDICES No. 3 and 4, contain the particulars of 63 Conveyances of Property, part of the Land Revenues of the Crown in England and Wales, and of some small Parcels of Land in the New Forest, sold within the same period, the Purchase Money for which amounted, in the whole, to £. 22,036. 12. 11.

Of the above Sum of £. 22,036. 12. 11., there arose, from Sales by Public Auction, £. 20,974. 18. 8.; the Sales, by Private Contract, were either of the

Interest of the Crown to the Occupiers of Encroachments upon Royal Manors or Wastes, or to parties who were considered to be entitled to the pre-emption of the Property purchased, and amounted in all to £. 1,061. 14. 3. The Annual Value of such of these Estates as had been before in Lease (according to Surveys made thereof, at the periods when the last Leases were granted), amounted to £. 394. 19. 11¾.; and the Rents, reserved in the last Leases for the same, amounted to £. 369. 2. 6. per Annum.

WE stated in our last Report, that we had made arrangements for the Sale of Two Estates, under the sanction of the Board of Treasury; viz.—

MANOR, &c. of Stapleford, Co. ESSEX.

The Manor and Demesne Lands of Stapleford, in the County of Essex, containing about 500 Acres, then held under Lease from the Crown, at a Rent of £. 538. 14. 6.;

TEDDINGTON FARM ESTATE, Co. Warwick.

And an Estate called Teddington Farm, in the County of Warwick, containing 188A. 3R. 32P., also held under Lease from the Crown, at a Rent of £. 230. 16.

The first-mentioned Estate was put up for Sale by Auction on the 21st of July last year, when only the Manor and three of the Lots, comprising 98A. 3R. 19P., were sold, and produced together £. 6,705., exclusive of the value of the Timber thereon. The remaining Lots (for which no adequate offers had been made) were bought in, and have since been granted out on Lease to responsible Tenants, at Rents amounting in all to £. 515.

And the last-mentioned Estate was put up for Sale by Auction on the 23d of June last year, and produced in all £. 12,045. (exclusive of the value of the Timber), the particulars of which will be found in the List of Sales for last year, APPENDIX, No. 3.

MANOR, &c. of NEWARK, Co. Notts.

We have also made arrangements, under the like sanction, for the Sale by Auction, in the course of this year, of the Manor of Newark, in the County of Nottingham, with the Demesne Lands attached thereto, comprising 973A. 2R. 23P., including the sites of a number of Houses in Newark, now held by his Grace the Duke of Newcastle, for a Term which will expire at Michaelmas next, at a Rent of £. 2,026. 1. per Annum; but to which Term an addition of half a year has been agreed to be made, for the convenience of the Undertenants, Lady-day being the usual Term for quitting in that County.

The present Lease of this Estate was granted to his Grace on the 25th of November 1815, for a Term expiring at Michaelmas next, on payment of a Fine of £. 2,567., and at the above-mentioned Rent of £. 2,026. 1. per Annum.

In a Survey made a short time previously to the Agreement entered into for the Lease, the value of the whole Estate was certified to amount to £. 2,292. 19. 8. per Annum.

MANOR, &c. of TWICKENHAM, Co. Middlesex.

We have also given directions, with the like sanction, for the Sale of the Manor of Twickenham, in the County of Middlesex, with the old Manor House and various other Buildings, and about 60 Acres of Land now held by Messrs. Gapper and Ray, under a Lease from the Crown, which was granted to them on the 31st of July 1807, for a Term which will expire at Michaelmas next, on payment of a Fine of £. 782. and a Rent of £. 49. 18. per Annum for the Manor, and of £. 345. 4. for the Lands and the Buildings, making together £. 395. 2. per Annum; and according to the Survey made of the Property a short time before the Lease was granted, the Annual Value of the Estate was certified to be £. 473.; and

and for the Sale of a small Estate in the Parish of Saint Mary, Islington, and within the Manor of Highbury, called Little Saint John's Wood, containing about 45 Acres and a half of Grass Land, now held by John Walker, Esquire, for a Term which will expire at Michaelmas next, at a Rent of £.193. 9. per Annum.

LITTLE ST. JOHN'S WOOD ESTATE, CO. MIDDLESEX.

THE proceedings of this Board in asserting, endeavouring to maintain, and to bring into value the Hereditary Revenues of the Crown in Wales, having attracted considerable notice during the last year, and become the subject of discussion in Parliament, and of Trials in Courts of Law, We beg leave shortly to state the nature of that Property, and the circumstances which have led to the proceedings adverted to.

LAND REVENUE OF THE CROWN IN WALES.

The principal part of the Land Revenue in Wales arises from small Annual Rents of different denominations, payable out of Estates held under Grants from the Crown, or by Proprietors of Lands within Manors, Lordships or Hundreds still the Property of the Crown, some of which are paid in very small Sums to the Receiver appointed by Us, and others, arising within particular districts, are collected by Reeves, Bailiffs or other local Collectors, and paid in gross Sums to the Receiver.

When the present Receiver was appointed, it was found, that from the neglect of former Receivers, and from the want of information concerning the Estates out of which the Rents issued and the Owners thereof, the Rents were much in arrear, and many of them considered altogether irrecoverable; but by indefatigable labour and exertion on the part of the Receiver, by his searching of official Documents and Records, and by means of information collected from various sources, much of the Arrear which had been deemed desperate has been recovered. In cases of great hardship, either from lapse of time or from changes in the Owners of Estates, and where the whole of the Arrears had not accrued, while the Estates were held by present Possessors, compromises had taken place according to Rules sanctioned by the Treasury; but in some cases where parties had altogether denied their liability to claims which we had every reason to believe to be well founded, legal proceedings had been resorted to, and which, from the great intricacy of the cases, are necessarily both tedious and expensive; but if not persevered in We consider that the greater portion of the Revenues referred to would, in a short time, very probably have been lost, as the resistance made by some Parties has already encouraged others to withhold Payment till the result of the depending proceedings be ascertained.

Another description of Property belonging to the Crown in Wales consists of numerous Manors, of which the King is the Lord, and as such, is Owner of the soil of the very extensive Wastes (subject to the Rights of Common of Pasturage) and of the Mines, Minerals and Quarries within the same. Some of those Manors, yielding to the Crown merely a nominal Revenue, barely sufficient to defray the expenses of holding the Courts and other contingent Charges, but which were desirable possessions for the Owners of adjoining Estates, on account of the privileges of Game and Sporting which they afforded, have been sold from time to time for considerable Sums of Money, reserving to the Crown the Minerals where they were supposed to be of value.

Within the Boundaries of some of the Manors disposed of, as well as of those extensive Wastes which still remain the Property of the Crown, there are numerous encroachments, some made by the Owners or Tenants of adjoining Property, but mostly by Persons of the labouring classes, many of whom had erected Cottages, in which they reside.

In cases where Parties entitled to Rights of Common had not interfered to prevent such Inclosures and erection of Cottages, but had suffered the same to remain undisturbed for upwards of 20 years, when their Rights were barred, but the interests of the Crown not being barred by any adverse possession of less than 60 years' duration, We had, in estimating the Manors which have been sold, put a very moderate value upon all encroachments held for above 20 and under 60 years, and had conveyed to the Purchasers the Crown's interest therein, leaving to those Purchasers to deal with the encroachers, either by holding as Tenants or by Sales of their respective Possessions, as they should see fit.

In the disposal of some of those Manors, We departed from the usual course of selling by Public Auction, and treated with the Owners of large adjoining Estates, in the belief that it would be both their interest and inclination to deal more leniently with the Encroachers, than if the Manors had become the property of mere speculators, which would probably have been the case had the Sales been made by Auction; and We have every reason to believe that the expectations entertained in this respect have not been disappointed.

With respect to Encroachments upon Wastes still the property of the Crown, an account of them has been taken, and offers having been made to the Parties in possession, of the Sale in Fee, at about one-fourth of their present value, or to hold for a long term of years at proportionate Rents, We have accordingly, upon those terms, within the last few years, sold the Interests of the Crown in Encroachments in various parts of Wales, for sums amounting to upwards of £. 11,000., and numerous negotiations are depending between the Occupiers of other Encroachments and our local Agents, for selling or letting according to the same terms, which had till very lately rarely been objected to.

In consequence, however, of a dispute between the Purchaser of one of the Crown Manors in Radnorshire, and a person practising as an attorney at Presteign, who claimed a small Encroachment within that Manor, and refused to become Tenant to the new Lord, an Action of Ejectment was brought at the Summer Assizes at Hereford (1834) to recover possession, and a verdict found for the Plaintiff, subject to the opinion of the Court of Common Pleas, whether by the Instrument of Sale the Encroachment in question had passed to the Purchaser; the Court were of opinion that it did not pass, and consequently judgment was entered for the Defendant.

This unexpected decision was immediately followed by riotous and clamorous proceedings, publications by hand-bills and in local newspapers, and by inflammatory speeches at Public Meetings, to the effect, that neither the Crown nor the Purchasers of the Manors had any right to the Encroachments, but that they were the absolute Property of the Holders; that those who had purchased were entitled to repayment of their Purchase Monies; and that others who had entered into regular Agreements to purchase, or to pay annual acknowledgments, were not bound by such Agreements.

It not being competent to the Purchasers of Manors to appeal against the above decision, and being thereby deprived of Rights and Property which it was clearly intended they should acquire under their Conveyances, they felt themselves obliged to call upon us to put them in possession of the Encroachments intended to have been conveyed to them, or to be repaid their Purchase Monies.

Having communicated with the Law Officers of the Crown, as to the steps proper to be taken under these circumstances, and they being of opinion, that although

although the decision of the Court of Common Pleas must be held to be conclusive as against the Purchaser of the Manors, it followed that the Encroachments were still in the Crown, with all the rights and remedies possessed before the Sale of the Manor; that the Encroachments having been valued and included in the Sale, the Purchaser was clearly entitled to call upon us to take the necessary steps for putting them in possession; but previous to the adoption of legal proceedings for that purpose, they advised that a renewed offer should be made jointly in our names and that of the Purchaser, that if the right of the Crown should he acknowledged by his attorning Tenant, he might still hold upon the same terms as had been given to other Encroachers. This offer having been made and rejected, it became necessary to resort to the legal measures advised by His Majesty's Law Officers, not merely for the recovery of the Encroachment in question, which is of comparatively little value, but to check that spirit of lawless resistance, and sacrifice of the interests of the Crown, which have by every means been encouraged and promoted by the Party claiming the Encroachment.

ENFRANCHISEMENT OF COPYHOLDS. Appendix, No. 5.

APPENDIX, No. 5, contains a List of Copyhold or Customary Estates, held under Manors belonging to the Crown, which have been enfranchised by us within the past year, the Quit Rents payable to the Crown for which Estates amounted to 5*s.* 7*d.* per Annum, and the Purchase Money paid for the Enfranchisement of the Property, to £. 349. 15., besides the extinguishment on the part of the Purchasers of one of the Estates, held under the Manor of Lyndhurst, of a right to Four Loads of Fuel Wood annually from the New Forest, of the estimated value of £. 4. per Annum, the particulars of which are given in the APPENDIX, No. 6, making, with what had been bought up, or otherwise extinguished, as stated in former Reports, 375 Loads, and still leaving claims upon the Forest for 464 Loads annually.

FUEL WOOD. Appendix, No. 6.

SALES OF FEE-FARM RENTS. Appendix, No. 7.

APPENDIX, No. 7, contains a List of the Fee-farm and other unimprovable Rents in England and Wales belonging to the Crown, which were sold within the same period, amounting, after deducting Land Tax, to £.1. 9. 1½., the Purchase Money for which amounted to £.43. 13. 9.

GRANT IN PERPETUITY. Appendix, No. 8.

APPENDIX, No. 8, contains the particulars of a Grant in Perpetuity of a certain part of the Crown's Estate, called The Manor Shore, in the City of York, to the Archbishop of York and others, in trust, for the purposes of a National School.

LAND TAX REDEEMED. Appendix, No. 9.

IN SCHEDULE, No. 9, is contained a Statement of Land Tax on Property belonging to the Crown, of which the Redemption has been effected, and of the consideration for such Redemption. By this Statement, it appears, that the total Sum of Land Tax redeemed up to the 5th of January last, amounts to £.5,948. 2. 4½., per Annum, in extinction of which, there was transferred to the Commissioners for the Reduction of the National Debt,

	£.	s.	d.
In the £.3. per Cent. *Consolidated* Bank Annuities -	188,261	11	7
In the £.3. per Cent. *Reduced* Bank Annuities - -	24,272	16	11
	212,534	8	6
Besides the Sum of £.4,925. 9. 11. paid in Money, being equivalent to a Sum, in £.3. per Cent. Stock, of	5,562	13	3½
	£.218,097	1	9½

ACTS passed affecting Crown Property. Appendix, No. 10.

APPENDIX, No. 10, contains a List of Acts, affecting the Property of the Crown, which have been passed since the date of our last Report.

BAYSWATER SEWER.

The Works, which were contracted for and in progress at the date of our last Report, for the diversion of the Bayswater Sewer from its ancient course through Kensington Gardens, and towards the expense of which, we were authorized, by an Act of Parliament, to contribute a Sum not exceeding £.3,500., have been completed, at the cost, to this Department, of £.3,235. 0. 6.; and the removal of the offensive Soil and Mud, which had been brought into the Waters of those Gardens by that Sewer, having been agreed for, and to a considerable extent executed, the Nuisance, which has been so long and so justly complained of, will thereby soon be altogether abated.

PURCHASE of the late Mr. M'Bean's House on the Castle Hill, Windsor. Appendix, No. 11.

IN the SCHEDULE, No. 11, are contained the particulars of a Purchase, which has been made by the Crown, of a Freehold House, late in the occupation of Mr. M'Bean, on the Castle Hill, Windsor, subject to an Annuity of £.40. to Ann M'Bean, widow of James M'Bean, during her life, in compensation and satisfaction for her Dower out of the said Premises, of which, on account of their contiguity to Windsor Castle, it was considered desirable that the Crown should possess the Freehold.

CHARING CROSS and STRAND Improvements. PURCHASE. Appendix, No. 12.

IN SCHEDULE, No. 12, are the particulars of a Purchase made of a Leasehold House in the Strand, required for the purposes of the Act, 7 Geo. IV. c. 77, at the price of £.1,940.

LEASES granted under Act, 7 Geo. 4. c. 77. Appendix, No. 13.

IN SCHEDULE, No. 13, are the particulars of two Leases of Houses and Premises at the Corner of Cockspur-street and Pall Mall, and on the East side of St. Martin's Place, and South side of Chandos-street, granted under the authority of the said Act of 7 Geo. IV. c. 77.

WATERLOO BRIDGE STREET Improvement. SALE. Appendix, No. 14.

IN SCHEDULE, No. 14, are the particulars of a Sale, under the authority of the Act 1 & 2 Will. IV. c. 29, of a Piece of Ground, belonging to the Crown, in York-street, Covent Garden; the Purchase Money for which amounted to £.600.

FREEHOLD PROPERTY acquired. Appendix, No. 15.

IN SCHEDULE, No. 15, are the particulars of an arrangement made for acquiring, on behalf of the Crown, certain Freehold Property, under the powers, and for the purposes of the said Act of 1 & 2 Will. IV. c. 29.

EXCHANGE. Appendix, No. 16.

IN SCHEDULE, No. 16, are the particulars of an Exchange, effected under the authority of the said Act of 1 & 2 Will. IV. c. 29, of certain Ground on the West side of Bow-street, Long Acre, belonging to the Crown, for certain Ground on the West side of the same Street, and North side of Hart-street, belonging to Messrs. Joseph Hallmarke and William Mason.

IRELAND.

SALES. Appendix, No. 17.

THE APPENDIX, No. 17, contains a SCHEDULE of all perpetual unimprovable Rents payable to the Crown in Ireland, which have been sold within the said year ended the 5th day of January last, amounting to £.141. 17. (£.153. 13. 4¾. late Irish Currency) per Annum. The Consideration Monies received for the same amounted to £.3,674. 1.

The ACCOUNT, No. 18, is an Abstract of the Accounts of the Collectors of the Rents payable to the Crown in Ireland, for the year ended 5th January last. Appendix, No. 18.

SCOTLAND.

LEASE granted. Appendix, No. 19.

THE SCHEDULE, No. 19, contains the Particulars of a Lease which has been granted to Archibald Campbell, Esquire, of the Tithes of 89A. 3R. 1P. of Land, Parcels of the Lands of Meikle Cowcaddens, Nether Newton, Woodside and Blythswood, in the Barony Parish of Glasgow and Sheriffdom of Lanark, being the unfeued Portions of the said Lands, the Property of the said Lessee.

THE Amounts received by us on account of the Land Revenues of the Crown in Ireland and Scotland, between the 5th January 1835 and 5th January 1836, are stated in our General Account of Receipt and Expenditure for the same period (APPENDIX, No. 24), in which the Sums received in respect of the Ordinary accruing Rents or Income are distinguished from the Extraordinary Receipt arising from Sales and Deposits on Account of Sales.

HOLYHEAD ROADS.

APPENDIX, No. 20, contains an Account of the Sums received (£.15,710. 19. 8.) and expended (£.11,460. 0. 5.) by us in respect of the Roads, Bridges and Harbours in the Line of Communication with Dublin by Holyhead. Appendix, No. 20.

AND We have further inserted Two Accounts; the first of which (APPENDIX, No. 21) contains the Particulars of Loans to the Amount of £.44,000. advanc d on Security of additional Tolls by the Commissioners for the Loan of Exchequer Bills for Public Works, to several Trusts on the Road between London and Shrewsbury, and expended in various Improvements within those Trusts, of which Sum of £.44,000. the Sum of £.40,477. 5. 4. has been repaid, and £.13,982. 13. 7. paid on account of Interest to the 5th January last, at which Period there remained due, in respect of the said Loans, for Principal, the Sum of £.3,522. 14. 8., and for Interest £.68. 14. 4., making together £.3,591. 9. Appendix, No. 21.

THE second Account, APPENDIX, No. 22, contains similar details of Loans to the Amount of £.83,700. advanced in like manner, on Security of additional Tolls, out of the Consolidated Fund, and expended by us in various Improvements on the same Line of Road, towards the repayment of which there has been paid into the Exchequer the Sum of £.15,375. 3. 3¼. on account of the Principal advanced, and £.7,389. 18. 0¾. on account of Interest to 5th January last, at which period there remained due in respect of the said Loans, for Principal, the Sum of £.68,324. 16. 8¼., and for Interest £.15,259. 1. 9.; making together £.83,583. 18. 5¼. Appendix, No. 22.

ROYAL FORESTS and PARKS.

WE are glad to be able to present a diminished Account of Expenditure in the Royal Forests and Parks, from the former of which there is and will continue to be a gradually increasing Income.

In several of the Parks, the Herbage, principally from the effect of Drainage, is in a progressive state of Improvement.

EARL SPENCER'S Gift of Deer from Althorp Park.

A valuable addition has been made to the Stock of Deer, in the munificent Gift, by Earl Spencer, of the whole of his Lordship's fine Herd from Althorp Park, consisting of 743 Deer, and comprising selections from the most approved Breeds in the Country, of various sizes and ages, but with more than the ordinary portion of full-grown Deer.

With the loss of only fifteen out of the whole Herd, they were safely conveyed from Althorp, and distributed, in such portions as were found to be most desirable, in the several Royal Parks of Windsor, Hampton Court, Bushy, Richmond and Greenwich: and having also, within the last few years, made some Exchanges of Deer with the Duke of Bedford, the Earl of Essex, and others, we trust that, by these means, there may, in future, be less grounds for the complaints, so frequently made, of the quality of the Venison supplied from the Royal Parks.

TOWARDS the discharge of Loans raised upon the credit of the Hereditary Revenues of the Crown, for the purposes of Improvements in the Metropolis, and chargeable with Interest, there have been paid, since the date of our last Report, to the Equitable Assurance Company, a second Instalment of £.90,000., in further part of a Loan of £.300,000., leaving a third Instalment of £.120,000. still due, and bearing Interest at Three-and-a-half per Cent.; which said Instalment we are prepared to discharge, when, according to the terms of the Contract, it will become payable; the Equitable Assurance Company having declined to receive payment at an earlier period.

We have also paid to the Commissioners "for the Loan of Exchequer Bills for Public Works," £.65,000., in further part of several Loans, amounting together to £.400,000., which reduces the Debt to £.335,000.

The terms of these last-mentioned Loans were, that they should bear Interest at Four per Cent., and be redeemable by Annual Instalments of Two-and-a-half per Cent.; but there being no objection to our making larger payments, when enabled to do so, it will be seen that the portion of Debt discharged, during the last year, has greatly exceeded the stipulated Amount.

In addition to the Loans above referred to, and now in progress of being redeemed, there was advanced, out of the Consolidated Fund, for the same Improvements, different Sums, amounting, in the whole, to £.600,000., not now chargeable with Interest, as, under the Civil List Arrangements, made on the Accession of His present Majesty, the Land Revenues of the Crown, subject to various Payments charged thereon by different Acts of Parliament, are, during the Life of His Majesty, applicable to the Consolidated Fund; but whenever those Revenues shall cease to be carried into, and to form part of the said Fund, then and in such case the Land Revenues are charged with the repayment of the said Sum of £.600,000., together with Interest thereon from the period of that event.

In the mean time, however, it having been thought that it would be beneficial to the Public Service, and especially to the Commercial and Shipping Interests of the

the Country, that the Lighthouses belonging to the Crown, and now held on Leases for Terms of Years, which will expire in 1849, should be transferred to and placed under the control and management of the Trinity Board, with a view to the attainment of uniformity of system in the management of Lighthouses and Lights, and to the reduction and equalization of the present Duties; and having been called upon by the Treasury to offer our opinion on the Provisions of a Bill submitted to Parliament for that purpose, we felt it to be our duty to state, that it appeared to us to be very inexpedient, that The King should be advised to cause his consent to be signified in Parliament to a measure which (although not affecting His present Majesty under the existing Civil List Arrangements), might operate most prejudicially to the Income and Revenues of a future Sovereign, without making provision that the Hereditary Revenues of the Crown should be indemnified for the Value of the Property to be transferred, as had been done in other similar cases, where portions of those Revenues had been required for the benefit and advantage of the Public Service. His Majesty's Law Officers having, upon a very full statement of the whole subject, given their opinion in entire accordance with this view of the case, it has been agreed to submit to Parliament, that the Interests of the Hereditary Revenue in the Lighthouses in question, both under the existing Leases and in Reversion, shall cease and determine on and after the 1st of January 1837; that the same shall be vested in the Trinity Board; that the Value of such Interest, on that date, shall be ascertained, and the Sum, which the same shall amount to, shall be deemed to be a repayment, to the Consolidated Fund, of so much of the before-mentioned Debt of £.600,000.

DUNCANNON. (L.S.)

B. C. STEPHENSON. (L.S.)

A. MILNE. (L.S.)

Office of Woods, &c.
19 August 1836.

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Appendix, N° 1.—A SCHEDULE OF ALL LEASES of Messuages, or Tenements, and Hereditaments The Dates of the Leases; The Premises comprised therein; The Names of the Lessees; The Terms granted; The The Rents reserved; The Fines paid; The Insurances to be made against Fire; and upon what other considerations such as had been before in Lease, by the last preceding Surveys, or other Accounts; and the Rents reserved, and Fines

Note.—In the instances distinguished by an Asterisk (*), in which the former Leases comprised *other* Premises, besides those contained in

DATES of LEASES, &c.	PREMISES GRANTED.	TO WHOM.	FOR WHAT TERMS.	Estimated Annual Value.
1835:	CAMBRIDGE:			£. s. d.
Feb. 17.	Certain Premises in the Town of Newmarket	Mary Kelly, Widow, and Richard Wells	14 years from 10th Oct. 1833	20 – –
	CARNARVON:			
July 23.	Paving Stone, &c. within part of the Crown Waste on Penmaenmawr Mountain, called the Garreglwydd Quarries	Richard Hughes and others	21 years from 10th Oct. 1834	– – – Uncertain.
	DENBIGH and CARNARVON:			
May 12.	The Sea Beach between High and Low Water Mark, extending from Penmaenrhos to Little Ormes Head, with the Rocks and Beds of Stone thereon	Richard B. Clough, and others	21 years from 10th Oct. 1834	– – –
	LINCOLN:			
Aug. 25.	An Allotment, set out to the Crown under an Act of his late Majesty George IV. "for the Embankment and Improvement of the Outfall of the River Nene, called the Sutton Wash," containing 86 A. 3 R.	William Shelton	13 years and a half from 5th April 1835	70 – –
	MERIONETH:			
Oct. 3.	Slate Quarries within certain part of the Manod Mountain	Henry Cooper and George Frederick Baker	21 years from 10th Oct. 1834	– – – Uncertain.
– 30.	The Cefn Cam Slate Quarry, and Two Allotments of Land in the Parishes of Llandwyw and Llanelltydd, containing 315 A. 1 R. 6 P., and Three small Plots of Ground, to be used as a Shipping Place	Lewis Pugh and others	31 years from 10th Oct. 1834	– – –
	MIDDLESEX:			
Jan. 31.	A Plot of Ground, with Sundry Messuages, and other Buildings, numbered respectively 25, 24 and 23, on the East Side of St. James's-street; and 1, 2 and 3 on the North Side of Little Ryder-street, thereon	John Lincoln, on the nomination of Edmund Taylor, & Philadelphia, his Wife, in trust.	36 years and a half from 10th Oct. 1834	745 – –
Dec. 23.	A Plot of Ground, with a Messuage and Buildings, numbered 26 on the East Side of St. James's-street thereon		70 years from 10th Oct. 1834	78 – – (including an annual equivalent for the value of the materials of the old Buildings.)
Feb. 9.	Two Plots of Ground, with a Messuage on each Plot, being the Third and Second Houses on the North Side of Pall Mall, Eastward from John-street (reckoning the corner House as the first)	Charles Barron	80 years from 5th April 1833	107 8 – (including an annual equivalent for the value of the materials of the old Buildings.)

elonging to THE CROWN, granted between the 5th day of January 1835 and the 5th day of January last:—Showing, Annual Value of the Premises, as estimated, or returned, on oath, by the Surveyors employed to survey the same; eases, respectively, have been granted:—And showing, also, The Annual Value of such parts of the Premises aid, for the preceding Leases.

e new Leases, are shown *a proportionable part* of the former Annual Values, Rents and Fines.

ON NEW LEASES, &c.:				ON PRECEDING LEASES:		
RENTS reserved in NEW LEASES, &c.	FINES paid for the same.	INSURANCES against Fire.	Other Considerations for NEW LEASES, &c.	Annual Value, per last preceding Surveys, &c.	RENTS reserved in last Leases.	FINES paid for last Leases.
£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.
20 – –	- - -	- - -	- - - -	-- This property lately escheated to the Crown, on the death of Mr. Edward Theakstone.		
1 – – and 2d. per ton for all Stone raised from the Quarries. The Tonnage not to be less than 50 – –						
1 – – and 2d. per ton for all Stone carried off the Premises.	- - -	- - -	- - - -	Not before in Lease.		
70 – –						
1 – – and a Royalty of one-tenth in value of the Slate, &c. raised from the Quarry, the said Royalty not to be less than 30 – – for the first three years, 50 – – for the next four years, nor 80 – – for the remainder of the term.	- - -	- - -	- - - -	Not before in Lease.		
10 – – for the Allotments; 1 – – for the Quarries, with a Royalty of one-tenth of the Slate raised, and 1 – – for the Shipping Place.	- - -	- - -	- - - -	- - -	10 – – for the Allotments, 1 – – for the Quarries, and one-ninth of the Slate raised.	
472 – –	3,921 – –	8,200 – –	£. 1,200. Repairs -	230 – –	28 15 –	320 – –
-- For the first year a Peppercorn, and during the remainder of the term, 78 – – and, in lieu of Land Tax redeemed by the Crown, 9 3 6	- - -	- - -	- - - -			
-- For the first year a Peppercorn, and, during the remainder of the term, two several yearly rents, amounting together to 107 8 – and, from 10th Oct. 1833 until the end of the lease, two several yearly rents, amounting together to 11 9 – in lieu of Land Tax redeemed by the Crown.	- - -	-- Such sums as shall be equal to three-fourth parts at least of the value of the said Messuages and Buildings respectively.	-- The Costs of erecting and finishing the said Messuages and Buildings, respectively.	350 – –	222 – –	331 – –

APPENDIX, N° 1.——Comprising LEASES, &c. granted - - - - - - -

DATES of LEASES, &c.	PREMISES GRANTED.	TO WHOM.	FOR WHAT TERMS.	Estimated Annual Value.
	MIDDLESEX—*continued.*			£. s. d.
1835: Feb. - 10.	A Plot of Ground, with a Messuage thereon, being the third House on the East side of Church-passage, Southward from Piccadilly, (reckoning the Corner House as the first) and the fourth House, Northward from Jermyn-street (reckoning the corner House as the first) - -	- - John Fitch, (on the nomination of John Wright Snow, and John Bernard, respectively) -	- - - -	28 – – (including an annual equivalent for the value of the Materials of the old Buildings.)
11.	A Plot of Ground, with a Messuage thereon, being the second House on the East side of Church-passage, Southward from Piccadilly, (reckoning the corner House as the first), and the fifth House, Northward from Jermyn-street (reckoning the corner House as the first) - -	- - John Bernard (on the nomination of John Wright Snow) - -	- - - -	24 – – (including an annual equivalent for the value of the Materials of the old Buildings.)
12.	A Plot of Ground, with a Messuage thereon, being the second House on the East side of Church-passage, Northward from Jermyn-street, (reckoning the corner House as the first) and the fifth House, Southward from Piccadilly (reckoning the corner House as the first) -	George Harper - -	117 days and 68 years from 15th June 1834.	21 11 – (including an annual equivalent for the value of the Materials of the old Buildings.)
13.	A Plot of Ground, with a Messuage, being the corner House of the South side of Piccadilly, and East side of Church-passage, thereon -	Thomas Leamen, Esq. -	- - - -	46 – – (including an annual equivalent for the value of the Materials of the old Buildings.)
March 11.	Three Plots of Ground, with a Messuage on each Plot, being the second House on the South side of Piccadilly, Eastward from Church-passage (reckoning the corner House as the first), the third House on the East side of Church-passage, Northward from Jermyn-street (reckoning the corner House as the first), and the corner House of the East side of Church-passage and North side of Jermyn-street - - - -	James Goding, Esq. -	- - - -	95 – – (including an annual equivalent for the value of the Materials of the old Buildings.)
6.	A Plot of Ground, with Coach-houses, Stabling, &c. thereon, on the South side of Great Ryder-street - -	Edward Bolton Clive, Esq. - - -	134 days and 61 years from 29th May 1834.	65 – –
May - 18.	A piece of Ground on the North side of Whitehall-place, with a Messuage, being the second House, Eastward from the Avenue from Whitehall-place to Great Scotland-yard (reckoning the corner House as the first), and other Buildings thereon - -	- - Frederick Thynne, Esq., (on the nomination of the Rev. John Surtees and Mary Ann, his Wife, and Charles Weston, Esq.)	- - 83 years and three quarters, from 10th October 1834.	58 16 –
20.	A Piece of Ground on the South side of Pall Mall, with a Messuage (intended for the Carlton Club-house) thereon - - - - - -	- - The Most Noble Walter Francis, Duke of Buccleuch and Queensberry, K. G.; the Most Hon. James Brownlow William, Marquis of Salisbury; the Right Hon. James Walter, Earl of Verulam; the Right Hon. Henry Pelham Fynes Pelham, Earl of Lincoln, and the Right Hon. John Thomas, Lord Redesdale, Trustees of the Carlton Club -	99 years from 5th July 1833.	375 – –

- - - - - - of MESSUAGES or TENEMENTS, &c.—*continued.*

ON NEW LEASES, &c.:				ON PRECEDING LEASES:		
RENTS reserved in NEW LEASES, &c.	FINES paid for the same.	INSURANCES against Fire.	Other Considerations for NEW LEASES, &c.	Annual Value, per last preceding Surveys, &c.	RENTS reserved in last Leases.	FINES paid for last Leases.
£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.
- - For the first year a Peppercorn, and, during the remainder of the term, 28 - - and, from 5th July 1834, until the end of the Lease, 2 1 - in lieu of Land Tax redeemed by the Crown.						
- - For the first year a Peppercorn, and, during the remainder of the term, 24 - - and, from 5th July 1834 until the end of the Lease, 1 15 4 in lieu of Land Tax, redeemed by the Crown.						
- - For the first year a Peppercorn, and, during the remainder of the term, 21 11 - and, from 5th July 1834, until the end of the Lease, 1 11 6 in lieu of Land Tax redeemed by the Crown.	- - -	- - Such sums as shall be equal to three-fourth parts, at least, of the value of the said Messuages and Buildings respectively.	- - The Costs of erecting and finishing the said Messuages and Buildings respectively.	*111 6 -	*13 19 2	*63 18 -
- - For the first year a Peppercorn, and, during the remainder of the term, 46 - - and from 5th July 1834, until the end of the Lease, 3 7 6 in lieu of Land Tax redeemed by the Crown.						
- - For the first year a Peppercorn, and, during the remainder of the term, three several yearly Rents, amounting together to 95 - - and, from 5th July 1834, until the end of the Lease, three several yearly Rents, amounting together to 7 - - in lieu of Land Tax redeemed by the Crown.						
42 - -	376 - -	800 - -	- - The expenditure of £. 300, at least, in Repairs and Alterations to the Premises -	20 - -	*3 5 -	*11 - -
57 16 - and, in lieu of Land Tax redeemed by the Crown, 6 14 9	- - -	- - Such sum as shall be equal to three-fourth parts, at least, of the value of the said Messuage and Buildings.	- - The surrender of the subsisting Lease of the Premises -	58 16 -	57 16 - and 6 14 9	
- - A Peppercorn for the first two years and a quarter, and 380 - - and, in lieu of Land Tax redeemed by the Crown, 48 - - during the remainder of the term.	- - -	- - Such sum as shall be equal to two-third parts, at least, of the value of the said Messuage.	- - The Costs of erecting and finishing the said Messuage -	*312 - -	*42 - -	*277 - -

APPENDIX, N° 1.——Comprising LEASES, &c. granted - - - - - - - -

DATES of LEASES, &c.	PREMISES GRANTED.	TO WHOM.	FOR WHAT TERMS.	Estimated Annual Value.
1835:	MIDDLESEX—*continued.*			£. s. d.
June 8.	A Plot of Ground, on the North side of Jermyn-street, with a Messuage thereon - - - - - -	Michael Broderick -	- - - -	78 - -
Dec. 21.	A Plot of Ground, on the North side of Jermyn-street, with a Messuage thereon - - - - - -	William Fuller - -	- - - - - - 111 days and 61 years from 15 Dec. 1834.	90 - -
22.	A Plot of Ground, on the North side of Jermyn-street, with a Messuage (No. 63) thereon - - - -	- - - - - - William Morgan.	- - - -	95 - -
23.	A Plot of Ground, on the North side of Jermyn-street, with a Messuage (No. 64) thereon - - - -	- - - - -	- - - -	85 - -
31.	A Plot of Ground, at the corner of the East side of St. James's-street, and North side of Jermyn-street, with a Messuage thereon - - -	Robert Thomas - -	- - 111 days and 70 years from 15th Dec. 1834.	70 8 6 (including an annual equivalent for the value of the Materials of the old Buildings.)
June 27.	A Plot of Ground, on the South side of a Mews or Stable-yard, formed on part of the site of Carlton Palace, with sundry Stable Offices and other Buildings thereon - - - -	- - The Right Hon. Henry Richard, Earl Brooke and Earl of Warwick - - -	- - 96 years and a half from 5th Jan. 1830 -	15 15 -
Aug. 28.	A Piece of Ground, on the West side of Bury-street, with a Messuage (No. 26) thereon - - - -	- - - - - - - - The Rt. Hon. George Earl Cadogan and Henry Charles Viscount Chelsea.	- - - -	70 - -
29.	A Piece of Ground, on the West side of Bury-street, with a Messuage (No. 27) thereon - - - -	- - - - -	- - 34 years from 5th April 1834.	75 - -
Dec. 31.	A Plot of Ground, with a Messuage, &c. on the West side of Painter's-court, in Bury-street, St. James's, thereon - - - - - -	Thomas Winter - -	- - - -	30 - -
Oct. 2.	A Plot of Ground, on the North side of Jermyn-street, with a Messuage, &c. (No. 35) thereon - - -	Sarah Staines (Widow)	- - 117 days and 40 years from 15th June 1834 - - -	85 - -
30.	Two Plots of Ground, on the East side of Wells-street, St. James's, with a Messuage, &c. on each Plot, being the third and fourth Houses, Southward from Jermyn-street (reckoning the corner House as the first) -	- - John Howell, Esq., on the nomination, as well of Mr. John Callis Crampern, as of Sir Francis Lawley, Bart, sole Executor of the Will of The Rt. Hon. Robert Lord Wenlock, deceased -	- - 122 days and 67 years from 4th Dec. 1833 - - -	30 1 - (including an annual equivalent for the value of the Materials of the old Buildings.)
Dec. 8.	A Messuage, being No. 23, in Essex-street, Strand - - - - -	- - John Egan, William Waterman and William Harding Wright, Esqrs.	- - 13 years (wanting one day) from 29th Sept. 1835 - -	90 - -

Of this House, the Crown holds a Lease for a term extending one day beyond the term granted by

40,3

- - - - - - of Messuages or Tenements, &c.—*continued.*

ON NEW LEASES, &c.: RENTS reserved in NEW LEASES, &c.	FINES paid for the same.	INSURANCES against Fire.	Other Considerations for NEW LEASES, &c.	ON PRECEDING LEASES: Annual Value, per last preceding Surveys, &c.	RENTS reserved in last Leases.	FINES paid for last Leases.
£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.
50 - -	490 - -	800 - -	- - The expenditure of £. 170, at least, in repairs and alterations to the Premises -			
70 - -	300 - -	800 - -	- - The expenditure of £. 170, at least, in repairs and alterations to the Premises -			
56 - -	525 - -	800 - -	- - The expenditure of £. 150, at least, in repairs and alterations to the Premises -	*175 - -	*22 1 -	*95 - -
54 - -	500 - -	800 - -	- - The expenditure of £. 150, at least, in repairs and alterations to the Premises -			
- For the first year a Peppercorn, and, during the remainder of the Term, 70 8 6 and, from 10th Oct. 1835 until the end of the Lease, 6 3 3 in lieu of Land Tax redeemed by the Crown.	- - -	- - Such sum as shall be equal to three-fourth parts, at least, of the value of the said Messuage.	- - The Costs of erecting and finishing the said Messuage -			
- For the first year a Peppercorn, and, during the remainder of the Term, 15 15 - including Land Tax redeemed by the Crown.	- - -	- - Such sum as shall be equal to two-third parts, at least, of the value of the said Buildings.	- - The Costs of erecting and finishing the said Buildings - -	- - Of the former Values, Rents and Fines, in respect of Carlton Palace and Gardens, no accurate apportionment, applicable to this Parcel of the Site of that Palace, &c. can be made.		
A Peppercorn for the first three-quarters of a year, and 53 16 - during the remainder of the term.	100 - -	800 - -	- - The expenditure of £. 500, at least, in repairing and improving the said Messuages			
A Peppercorn for the first three-quarters of a year, and 53 16 - during the remainder of the term.	100 - -	1,000 - -		*80 - -	*11 - -	*200 4 -
20 - -	162 - -	400 - -	- - The expenditure of £. 150, at least, in substantial repairs and improvements to the Premises - -			
71 - -	200 - -	900 - -	- - The expenditure of £. 250, at least, in substantial repairs and improvements -	*44 4 -	*5 10 -	*24 13 -
- For the first year a Peppercorn, and, during the remainder of the Term, two several yearly Rents, amounting together 30 1 - and, from the 10th Oct. 1833 until the end of the Lease, two several yearly Rents, amounting together 2 9 - in lieu of Land Tax redeemed by the Crown.	- - -	- - Such sums as shall be equal to three-fourth parts, at least, of the value of the said Messuages, &c.	- - The Costs of erecting and finishing the said Messuage, &c.	*27 - -	*3 10 -	*14 - -
90 - -	- - -	- - -	- - - -	- - Not before in Lease.		

his Underlease; *Vide* Appendix, No. 2, p. 22.)

(*continued.*)

APPENDIX, N° 1.—Comprising LEASES, &c. granted - - - - - - - -

DATES of LEASES, &c.	PREMISES GRANTED.	TO WHOM.	FOR WHAT TERMS.	Estimated Annual Value.
1835:	MIDDLESEX—*continued.*			£. s. d.
Dec. 29.	A Plot of Ground on the North side of Jermyn-street, with a Messuage (No. 49) and other Buildings thereon - - - - - -	James Watling - -	70 years from 10th Oct. 1834	31 15 - (including an annual equivalent for the value of the Materials of the old Buildings.)
- -	A Plot of Ground on the East side of Langham-place, St. Mary-le-bone, with a Messuage (No. 5) thereon	William Mountford Nurse, Esquire -	14 years from 5th July 1835	190 - -
		* This House was built by the Crown, and granted to the late Lease, held by him, of the House, on the North side of Pall Mall, in being required for the purposes of the New Street Act, (53 Geo. 3, further compensation.		
	MARY-LE-BONE PARK (now called the Regent's Park) ESTATE.			
July 7.	A Piece of Ground, with sundry Buildings thereon, as a Curtilage, &c. to an adjoining Villa Residence in the North-western part of the Regent's Park - - - - - -	- - The Right Hon. Thomas Earl of Dundonald - - -	85 years and three quarters from 10th October 1834 -	12 12 -
Aug. 4.	A Plot of Ground, with a Messuage and other Buildings thereon, in the Southern part of the Regent's Park	The Hon. Daniel Finch	31 years from 10th Oct. 1832	131 5 -
	NORFOLK.			
- 24.	Manor and Demesne Land of East Dereham - - - - - -	Edmund Cooper and George Cooper -	14 years from 10th Oct. 1835	550 - -
	SUFFOLK.			
1834: Aug. 22	Chauntry Farm, in the Parishes of Brundish and Tannington - - -	Thomas Gooch - -	21 years from 10th Oct. 1833	190 - -
1835: July 1.	Saint Edmund's Farm, in the Parishes of Brundish and Willy - -	- - Dorothy Lucy Button, Widow, & Samuel Button	21 years from 10th Oct. 1833	140 - -
	YORK.			
May 12.	Mines and Veins of Lead Ore within the Territories of Grinton, Whiteaside, Harkaside, Summerlodge and Cogden - - - - - -	- - George Drake, Robert Theophilus Garden, Richard Michael Chadwicke & Francis Morley	33 days and 21 years from 3d Dec. 1833	Uncertain - -
				£. 3,793 11 6

405

- - - - - - - of MESSUAGES or TENEMENTS, &c.—*continued.*

ON NEW LEASES, &c.:				ON PRECEDING LEASES.		
RENTS reserved in NEW LEASES, &c.	FINES paid for the same.	INSURANCES against Fire.	Other Considerations for NEW LEASES, &c.	Annual Value, per last preceding Surveys, &c.	RENTS reserved in last Leases.	FINES paid for last Leases.
£. s. d.	£ s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.
For the first year a ppercorn, and during remainder of the m 31 15 – d from 5th July 1835, til the end of the ase, 3 – 4 lieu of Land Tax re- emed by the Crown.	- - -	- - Such sum as shall be equal to three-fourth parts, at least, of the value of the said Messuage and Buildings.	- - The Costs of erecting and finishing the said Messuage and Buildings - -	*32 3 –	*4 11 6	*64 6 –
118 – – luding the Land Tax leemed by the Crown.	584 – –	2,700 – –	- - The Expenditure of £. 300, at least, in substantial repairs and improvements -	100 – –	12 10 –	163 – –
				In respect of the House in Pall Mall, *vide* Note.*		
Colonel Stanley, for a term equal to the unexpired term of the Crown which he resided, and at the same rent; which last-mentioned House .1 21.) Colonel Stanley gave up the same to the Crown without						
12 12 –	- - -	- - Such sum as shall be equal to two-third parts, at least, of the value of the Buildings.	- - The Costs of erecting and finishing the Buildings on part of the ground, and of laying out, planting, and improving the remainder - - -	- - Of the former Values, Rents and Fines, in respect of the Regent's Park Estate, no accurate apportionment, applicable to these parcels of that Estate, can be made.		
A Peppercorn for the st year, and 131 5 – ring the remainder of e term.	- - -	- - Such sum as shall be equal to two-third parts, at least, of the value of the said Messuage and Buildings.	- - The Costs of erecting and finishing the said Messuage and Buildings - -			
550 – – d profits of the Manor, er deducting five per nt. for collecting the ne.	- - -	- - -	- - - -	- - It cannot be stated what the Rent was in the last Lease, other Property being included with the Manor, &c. of East Dereham.		
190 – –	- - -	- - -	- - - -	378 18 2	381 9 4	
140 – –						
1 – – d a Royalty of 1-7th the Ore rsised.	- - -	- - -	- - - -	Uncertain	2 – – and 1-8th of the Ore when smelted.	
3,498 18 8	7,253 – –			1,540 9 –	828 1 9	1,564 1 –

Appendix, N° 2.—AN ACCOUNT of an UNDERLEASE, granted by Messrs. *John Lavicount Anderdon* and *Charles John Manning*, to *George Cornell*, Esq., (on the nomination of the Commissioners of His Majesty's Woods, Forests, &c.) in trust for His Majesty,—of certain Apartments, forming parts of the Messuage or Tenement, No. 3, in New Bank Buildings, London, for the purpose of their being occupied as an Office for the Sale of Stamps on Sea Policies, by or on behalf of the Commissioners of His Majesty's Stamp Duties.

Also,—of a LEASE, granted by *Ralph Colley Smith*, Esq., Dame *Caroline Treby Molesworth*, Widow, *Caroline Molesworth*, Spinster, and the Rev. *William Molesworth*, Clerk, to *George Cornell*, Esq. (on the nomination of the Commissioners of His Majesty's Woods, Forests, &c.) in trust for His Majesty,—of a Messuage and Premises, being No. 23, Essex-street, Strand, formerly in the occupation of the late Commissioners for licensing and regulating Hackney Coaches, &c. and for the taking of which Lease, an Agreement, by or on behalf of the said late Commissioners of Hackney Coaches, &c. was entered into with the Lessors, previously to the abolition of the Board of Commissioners of Hackney Coaches, &c.; on which occasion, an application was made, on behalf of His Majesty's Government, to the Lessors, to cancel the said Agreement; but they declined to do so, and it was therefore found necessary to accept the said Lease, although the Premises were no longer wanted for any purposes of His Majesty's Government; and after considerable delay and difficulty in finding a Tenant for the Premises, an Underlease of the same was, with the sanction of the Lords of His Majesty's Treasury, granted, by direction of the Commissioners of His Majesty's Woods, Forests, &c. to *John Egan*, *William Waterman*, and *William Harding Wright*, Esqrs., upon the best terms and conditions, which could be obtained for the same; the Particulars of which will be found in the Appendix, No. 1, page 18.

DATES.	PARTIES.	PREMISES.	TERM.	ANNUAL RENT.
1835:		-- The Ground Story or Floor, belonging to the Messuage or Tenement, No. 3, in New Bank Buildings, London, (except the Passage or Entrance from Princes-street into the said Messuage or Tenement), and comprising four Rooms and a Stone Closet, together with the Room, or Counting-house at the back of the Messuage or Tenement, No. 2, in New Bank Buildings aforesaid, with the Cellar, and strong Room under the same; and also the right-hand Room in the Attic Floor, going up stairs into the said Attic, on the front of the said Building facing Princes-street; and also the Back Kitchen, in the Basement Story, with the centre Coal Cellar, in the front Area, between two other Cellars there, together with the use (in common with the said Lessors, their Executors, Administrators and Assigns, and their respective Tenants, Occupiers and Servants) of the Water Tap and Water in the Passage leading into the back Area, in the Basement Story, and also of the Water Closet in the front Area; and also full liberty of ingress, egress and regress, way and passage, for the said Lessee, his Executors, Administrators and Assigns, and all persons using or resorting to the said thereby demised premises, (in common with the said Lessors, their Executors, Administrators and Assigns, and their respective Tenants, Occupiers and Servants), into, from and out of the said Ground Story or Floor, and other the Premises thereby demised, at all times during the continuance of the term thereby granted, and for all reasonable occasions and purposes whatsoever relating to the sale or distribution of stamped Vellum, Parchment or Paper by the Commissioners of His Majesty's Stamp Duties, or by any Officer or Officers of His Majesty's Stamp Duties, in such manner as the same had been and then was or were sold or distributed in the said thereby demised Premises - - - - - - - - - - - -	-- 20 year (wanting 10 days) from the 25th March 1833, determinable on the 25th day of March 1839, or on the 25th day of March 1846, in case the Governor and Company of the Bank of England (the superior Landlords of the said Premises) should, 12 calendar months at least previous to either of those days, give notice, in writing, to the said John Lavicount Anderdon and Charles John Manning, their Executors or Administrators, of the desire of the said Governor and Company to determine, at either of the beforementioned periods, the term for which the said John Lavicount Anderdon and Charles John Manning then held the said Messuage or Tenement, No. 3, New Bank Buildings, on lease, from the said Governor and Company - - - - - - - -	£. s. d. 200 - -
April 17 -	Messrs. John Lavicount Anderdon and Charles John Manning to George Cornell, Esq., (on the nomination of the Commissioners of His Majesty's Woods, Forests, &c.) in trust for His Majesty - - - - -			
June 18 -	Ralph Colley Smith, Esq., Dame Caroline Treby Molesworth, Widow, Caroline Molesworth, Spinster, and the Rev. William Molesworth, Clerk, to George Cornell, Esq. (on the nomination of the Commissioners of His Majesty's Woods, Forests, &c.) in trust for His Majesty	-- The Messuage and Premises, No. 23, Essex-street, in the Strand, formerly in the occupation of the late Commissioners for licensing and regulating Hackney Coaches, &c. - - - - - - - - - - - - - - -	13 years and a half from 25th March 1835 -	180 - -

of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, between the 5th day of January 1833 and the 5th day of January 1839 and the 5th day of January 1839 [illegible]

"An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in England; and of the Land Revenue of the Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney;" and also, of an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues, and for other purposes relating to the Land Revenues;"—showing, The Dates of the Conveyances thereof respectively; The Premises comprised therein; The Names of the Purchasers; The Terms unexpired of the subsisting Leases at the time of Sale, and the Purchase Money paid for the Premises; and also showing, The Annual Value of such Parts of the Premises as had been held under Lease by the last preceding Surveys, or other Accounts; and the Rents reserved and Fines paid for the last or subsisting Leases thereof.

Note.—IN the instances in which the Leases contained other Premises besides those which have been sold, and which are distinguished by an Asterisk (*), a proportionable part of the last yearly Value, Rents and Fines is inserted in the Schedule.

DATES of CONTRACTS.	PREMISES SOLD.	NAMES of PURCHASERS.	TERMS UNEXPIRED of Subsisting Leases at the time of Sale.	PURCHASE MONEY.	ANNUAL VALUE per Surveys for last LEASES.	RENTS reserved in last LEASES.	FINES paid for last LEASES.
1835:	ESSEX.			£. s. d.	£. s. d.	£. s. d.	£. s. d.
October 20.	Certain Lands, forming part of the Stapleford Abbotts Estate, containing 29 A. 1 R. 10 P.	Thomas Lowndes		1,524 5 –	*104 19 11¾	98 6 6	
27.	Certain other Lands, part of the said Estate, containing 1 A. & 22 P.	Thomas Surridge		65 – –			
Dec. 8.	The Manor of Stapleford Abbotts, with its Rights, Members and Appurtenances	John Barnes		2,900 – –			
	KENT.						
Feb. 12.	Certain Lands, containing 22 A. 2 R. 11 P. part of the Northfleet Estate	Walter Henry Wyatt		2,728 19 10	*40 – –	40 – –	
	ISLE OF MAN.						
Aug. 7.	A certain Parcel of Land, called the Mill Field at Castletown, containing 6 A. & 25 P.	Rowland John Jones		461 14 4	-- These Premises were part of the property purchased from His Grace the Duke of Athol.		
–	A certain Parcel of Garden Ground there, called the Governor's Garden, containing 1 A. & 37 P.	Thomas Brine		300 – –			
	WARWICK.						
Oct. 20.	Certain Land, forming part of the Theddington, *alias* Teddington Farm, containing 13 A. 3 R. 21 P.	William Hemming		1,101 17 6			
Nov. 10.	Certain other Lands there, part of the said Estate, containing 1 A. 1 P. 38 R.	Richard Barnes		360 – –	250 – –	230 16 –	
–	Certain other Lands there, part of the said Estate, containing 3 A. & 8 P.	Richard Smith		312 12 6			
12.	Certain other Lands there, part of the said Estate, containing 1 A. 2 R. 39 P.	Edward T. Higgins		396 12 –			
28.	Certain other Lands there, part of the said Estate, containing 168 A. 3 R. 3 P.	Thomas Knight		10,823 17 6			
			£.	†20,974 18 8	394 19 11¾	369 2 6	

† Which said sum of £. 20,974. 18. 8. has been carried to the Account called the Woods, Works, &c. "Cash Account" at the Bank of England.

Appendix, N° 4.—A SCHEDULE of all MANORS, BUILDINGS, LANDS and other HEREDITAMENTS belonging to the CROWN, which have been sold by Private Contract, by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, between the 5th day of January 1835 and the 5th day of January last; by virtue of the Act 10 GEO. IV. c. 50, intituled, "An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks and Chases of the Land Revenue of the Crown within the Survey of the Exchequer in England, and of the Land Revenue of the Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney;" and also, of an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues, and for other purposes relating to the Land Revenues;"—showing, The Dates of the Conveyances thereof respectively; The Premises comprised therein; The Names of the Purchasers; The Terms unexpired of the subsisting Leases at the time of Sale, and the Purchase Money paid for the Premises; and also showing, The Annual Value of such Parts of the Premises as had been held under Lease by the last preceding Surveys or other Accounts; and the Rents reserved and Fines paid for the last or subsisting Leases thereof.

Note.—IN the Instances in which the Leases contained other Premises besides those which have been sold, and which are distinguished by an Asterisk (*), a proportionable part of the last Yearly Value, Rents and Fines, is inserted in the Schedule.

DATES of CONTRACTS.	PREMISES SOLD.	NAMES of PURCHASERS.	TERMS UNEXPIRED of Subsisting Leases at the Time of Sale.	PURCHASE MONEY.	ANNUAL VALUE per Surveys for last LEASES,	RENTS resreved in last LEASES.	FINES paid for last LEASES.
				£. s. d.	£. s. d.	£. s. d.	£. s. d.
	CARDIGAN.						
1835: Dec. - - 31.	An Allotment of Land, containing 10 A. 3 R. 20 P., awarded to the Crown under an Act for inclosing Land in the Parish of Llanrysted - -	Daniel Richards - -	- - -	16 - -	- - - Never in Lease.		
	DENBIGH.						
Jan. - - 29.	Certain Encroachments from the Common Wastes within the Lordship or Manor of Bromfield and Yale, with Cottage thereon, containing 5 Perches	Simon Edwards - -	- - -	6 - -			
–	Certain other Encroachments there, containing 8 Perches - - -	Edward Griffiths - -	- - -	8 15 -			
–	- - - Ditto - - - ditto - - 6 Perches - - - - -	Edward Owen - -	- - -	6 10 -			
–	Certain other Encroachments there, with Dwelling-house and other Buildings thereon, containing 19 Perches - - - - - - - -	Robert Hartley - -	- - -	81 3 -			
–	Certain other Encroachments there, containing –A. 1R. 7P. - - -	Thomas Rowland, jun. -	- - -	17 10 -			
–	- - - Ditto - - - - ditto - - - – – 2 - - -	Thomas Jones - -	- - -	4 4 -			
–	- - - Ditto - - - - ditto - - - – – 5 - - -	John Prichard - -	- - -	12 - -			
Feb. - - 24.	- - - Ditto - - - - ditto - - - 4 3 - - - -	Sir W. W. Wynne, Bart.	- - -	28 - -			
April - - 14.	- - - Ditto - - - - ditto - - - – – 4 - - -	Thomas Roberts - -	- - -	4 - -			
— - - 24.	- - - Ditto - - - - ditto - - - – – 3 - - -	Thomas Griffiths - -	- - -	3 10 -			
July - - 8.	- - - Ditto - - - - ditto - - - 6 3 33 - - -	William Owen - -	- - -	28 3 6			
Nov. - - 20.	- - - Ditto - - - - ditto - - - – – 11 - - -	John Williams - -	- - -	7 13 1			
–	- - - Ditto - - - - ditto - - - – – 11 - - -	Daniel Jones - -	- - -	9 8 1			
–	- - - Ditto - - - - ditto - - - – – 4 - - -	Benjamin Prichard -	- - -	7 17 6			
–	- - - Ditto - - - - ditto - - - – 1 – - - -	Thomas Wynn - -	- - -	26 5 -			
–	- - - Ditto - - - - ditto - - - – 1 30 - - -	Joseph Thomas - -	- - -	8 8 -			
–	- - - Ditto - - - - ditto - - - – 1 18 - - -	John Jones - -	- - -	17 17 -			
–	- - - Ditto - - - - ditto - - - – – 15 - - -	John Green - -	- - -	8 10 7	- - - Never in Lease.		
–	- - - Ditto - - - - ditto - - - – – 5 - - -	David Roberts - -	- - -	5 13 9			

–	- - -	Ditto	- - - -	ditto	- - -	–	2	18	-	-	-	Thomas Hughes	- -	-	-	-	27 11 3			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	7	-	-	-	Richard Roberts	- -	-	-	-	1 10 7			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	7	-	-	-	Joseph Ellis	- -	-	-	-	1 10 7			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	8	-	-	-	Richard Roberts	- -	-	-	-	7 – –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	5	-	-	-	John Jones	- -	-	-	-	4 11 10			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	4	-	-	-	Sarah Gittens, widow	-	-	-	-	7 – –			
—	- - 27.	Ditto	- - - -	ditto	- - -	–	1	7	-	-	-	Jacob Williams	- -	-	-	-	24 5 7			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	33	-	-	-	Samuel Griffiths	- -	-	-	-	15 1 10			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	5	-	-	-	Mary Griffiths, widow	-	-	-	-	6 6 10			
Dec.	- - 31.	Ditto	- - - -	ditto	- - -	–	–	17	-	-	-	Mary Ireland	- -	-	-	-	33 9 4			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	12	-	-	-	William Thomas	- -	-	-	-	7 – –			
–	- - -	Ditto	- - - -	ditto	- - -	–	1	11	-	-	-	John Jones	- -	-	-	-	18 11 –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	20	-	-	-	The same	- -	-	-	-	19 12 –			
–	- - -	Ditto	- - - -	ditto	- - -	1	2	18	-	-	-	The same	- -	-	-	-	19 8 –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	26	-	-	-	Joseph Griffiths	- -	-	-	-	14 – –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	16	-	-	-	William Powell	- -	-	-	-	21 – –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	16	-	-	-	John Richards	- -	-	-	-	9 12 6			
				RADNOR.													
May	- - 19.	Certain Encroachments from the Common Waste within the Lordship or Manor of Southugre, containing 22 A. 3 R. 23 P. - - - -										John Davies	- -	-	-	-	45 10 –			
–		Certain other Encroachments there, containing 9 A. 2 R. 11 P. - -										Corporation of the Sons of the Clergy - -		-	-	-	19 19 –			
–	- - -	Ditto	- - - -	ditto	- - -	3	3	15	-	-	-	Edward and Mary James		-	-	-	18 – –			
–	- - -	Ditto	- - - -	ditto	- - -	–	–	9	-	-	-	Francis Woosnam	-	-	-	-	1 15 –			
–		Certain Encroachments from the Common Waste within the Lordship or Manor of Knighton, containing 9 A. & 14 P. - - - -										Henry Griffiths	- -	-	-	-	35 – –			
July	- - 8.	Certain other Encroachments there, containing 3 R. 27 P. - - -										David Jones	- -	-	-	-	7 – –	- - - Never in Lease.		
–		Certain Encroachments from the Common Waste within the Lordship or Manor of Knucklas, containing 6 A. 1 R. 9 P. - - - - -										William Easthope	-	-	-	-	64 8 –			
–		Certain Encroachments from the Common Waste within the Lordship or Manor of Southugre, containing 3 A. & 20 P. - - - - -										Nathan Jones	- -	-	-	-	6 6 –			
Sept.	- - 5.	Certain other Encroachments there, containing 9 A. 1 R. 39 P. - -										Thomas Aubrey	- -	-	-	-	14 – –			
–	- - -	Ditto	- - - -	ditto	- - -	21	3	8	-	-	-	Bryan Bound	- -	-	-	-	52 – –			
Oct	- - 16.	Certain Encroachments from the Common Waste within the Lordship or Manor of Knighton, containing 12 A. & 33 P. - - - - -										Thomas Jones	- -	-	-	-	58 16 –			
				SOUTHAMPTON.													
Jan.	- - 13.	The Right and Interest of His Majesty in 100 A. 3 R. 6 P. of Mudland in the Southampton River, in the Parishes of Dibden and Fawley - -										Mary Tate, spinster	-	-	-	-	20 10 5			
April	- - 16.	Two Pieces of Waste Land in the New Forest, containing together 12 A. 3 R. 3 P. - - - - - - - - - - -										James Cavell	- -	-	-	-	153 2 6	- - - Never in Lease.		
July	- - 3.	Three Pieces of Waste Land in the New Forest, containing together 2 R. 29 P. - - - - - - - - - - -										John Munday, jun.	-	-	-	-	14 5 –			
–		A Piece of Waste Land in the New Forest, containing 1 R. 4 P. - - -										Jenny Hughes, widow	-	-	-	-	6 2 6			
															£.		1,061 14 3*	—	—	—

* Which said sum of £.1,061. 14. 3. has been carried to the Account called the Woods, Works, &c. "Cash Account" at the Bank of England.

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Appendix, N° 5.

A SCHEDULE of COPYHOLD or CUSTOMARY PREMISES, Parcel of, or holden of, Manors belonging to The Crown, which have been Enfranchised, between the 5th day of January 1835 and the 5th day of January last, by virtue of the Act of 10 Geo. IV. c. 50, intituled, "An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks and Chases, of the Land Revenues of The Crown within the Survey of the Exchequer in England, and of the Land Revenue of The Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney;" and also of an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues; and for other purposes relating to the Land Revenues;"—showing, The Dates of the respective Enfranchisements; The Names of the Enfranchisees; The Copyhold or Customary Premises Enfranchised; The Quit Rents issuing thereout; and the Consideration Money paid for the Enfranchisements.

DATES of CONTRACTS.	NAMES of ENFRANCHISEES.	COPYHOLD or CUSTOMARY PREMISES.	NET QUIT RENTS.	Consideration Money.
1835:		SOUTHAMPTON:	£. s. d.	£. s. d.
April - 24.	George Carpenter -	Certain Copyhold Premises held of the Manor of Lyndhurst, containing 3 A. & 22 P. - - -	- 1 -	108 7 -
June - 30.	Nathaniel Hinves -	Certain Copyhold Premises held of the Manor of Lyndhurst, containing 3 R. 26 P. - - -	- 2 -	84 5 -
-	The same - -	Certain other Copyhold Premises there, containing 8 Perches - - - - - - - -	- 2 -	56 3 -
		SURREY:		
February 24.	Thomas Long -	Certain Copyhold Lands held of the Manor of Richmond - - - - - - - -	- - 6	50 - -
April - 7.	Robert Smith -	Certain Copyhold Premises held of the Manor of Richmond, containing 1 R. 31 P. - - -	- - 1	51 - -
		£.	- 5 7	349 15 -*

* Which said Sum of £. 349. 15. has been carried to the Account called The Woods, Works, &c. "Cash Account," at the Bank of England.

Appendix, N° 6.

AN ACCOUNT of the NUMBER of LOADS of FUEL WOOD in *New Forest*, of which the Assignments have been extinguished by Purchases in Perpetuity from Persons entitled in respect of Private Property.

FROM WHOM PURCHASED.	Number of Loads.	AMOUNT OF PURCHASE.
Of Nathaniel Hinves, in respect of a Cottage and Garden, containing 3 R. 26 P. within the Manor of Lyndhurst - - - -	4	- - £. 80. The amount of Purchase, in this case, was taken into consideration in settling the value of the Crown's Interest in the Copyhold or Customary Tenure of the Property. *Vide* Schedule, N° 5.

Appendix, N° 7.

AN ACCOUNT of all FEE-FARM and other UNIMPROVABLE RENTS in *England* and *Wales*, which have been sold by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, between the 5th day of January 1835 and the 5th day of January last, and of the Purchase Money paid for the same, by virtue of the Act 10 Geo. IV, c. 5, intituled, "An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks and Chases, of the Land Revenue of The Crown within the Survey of the Exchequer in England, and of the Land Revenue of The Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney;" and also of an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, c. 1, intituled, "An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues, and for other purposes relating to the Land Revenues."

DATES of Certificates.	NAMES of PURCHASERS.	RENTS SOLD.		LAND TAX ALLOWED.	PURCHASE MONEY.
1835:		ENGLAND.	£. s. d.	£. s. d.	£. s. d.
		LONDON:			
April - 1.	Mayor, Commonalty and Citizens of London - -	For Messuages, &c. in Great Bell Alley in Coleman-street - -	- 14 11½ - 2 10	- - -	26 13 9
		OXFORD:			
July - 27.	William Cole -	For ½ Yard-land in Fencott - -	- 3 9	- - -	11 5
		- - Ditto - ditto - - -	- 3 9		
		SUFFOLK:			
March - 28.	Samuel Peck -	For Lands in Haughley - - -	- - 6	- - -	- 15 -
		WALES.			
		CARMARTHEN:			
July - 8.	John Henry Phillips	For Lands called Glyn-y-Marle - -	- 3 4	- - -	5 - -
		£.	1 9 1½	- - -	43 13 9*

* Which said Sum of £ 43. 13. 9. has been carried to the Account called The Woods, Works, &c. "Cash Account," at the Bank of England.

Appendix, N° 8.

SCHEDULE of a GRANT in PERPETUITY of Part of the Land Revenue of The Crown.

DATE of GRANT.	LANDS and HEREDITAMENTS GRANTED.	TO WHOM GRANTED.
1835: August - 20	YORKSHIRE. A Parcel of Ground, containing 19 perches, with the Buildings erected and standing thereon, part of the Manor Shore Estate, to be used and appropriated as and for a National School, to be united with the National Society for the Education of the Poor in the principles of the Established Church of England and Ireland - - - -	- - The Most Reverend Edward Lord Archbishop of York, and others, in Trust.

Appendix, N° 9.

AN ACCOUNT of LAND TAX, charged on ESTATES belonging to The Crown, redeemed by the Commissioners of His Majesty's Woods, Forests, &c., and the Consideration paid for such Redemption, up to the 5th of January last.

DATES of CONTRACTS for Redemption.	LAND TAX REDEEMED.	ESTATES CHARGED THEREWITH.	Stock transferred for the same. Consols.	Stock transferred for the same. Reduced.	CASH PAID for the same.
	£. s. d.		£. s. d.	£. s. d.	£. s. d.
	5,896 11 6½	Amount of Land Tax redeemed, and of the Consideration paid for the same, according to the Account comprised in the Appendix, No. 10, to the Twelfth Report of the Commissioners of His Majesty's Woods, Forests, &c.	188,261 11 7	24,272 16 11	3,206 11 -
1835:		MIDDLESEX:			
March - 9.	16 2 8	Six Messuages, situated together on the South side of Jermyn-street, West side of Bury-street, and East end of Crown and Sceptre Court, Saint James's - - -	- - -	- - -	539 18 6
April - 11.	2 9 -	A piece of vacant Ground on the North side of Great Scotland Yard - -	- - -	- - -	82 10 8
May - 30.	8 - -	The Lemon Tree Public House and Stable-yard, situated at the North end of the West side of the Haymarket	- - -	- - -	265 9 4
October 19.	- 17 4				29 - 2
May - 30.	5 17 4	The corner House of the North side of Jermyn-street and West side of Duke-street;	- - -	- - -	194 13 7
Sept. - 29.	1 10 10	and the House next Northward thereto on the West side of Duke-street, Saint James's -			51 11 9
August - 29.	8 6 10	A House and back Building on the East side of Saint James's-street -	- - -	- - -	277 5 11
29.	5 12 -	The corner House of the North side of Jermyn-street and East side of Saint James's-street, and the House next Northward thereto on the East side of Saint James's-street -	- - -	- - -	186 6 10
Sept. - 19.	2 14 10	The Second House on the North side of Jermyn-street, Westward from Duke-street, Saint James's (reckoning the corner House as the first) - - - - - - -	- - -	- - -	92 2 2
£.	5,948 2 4½	£.	188,261 11 7	24,272 16 11	4,925 9 11
			£. 212,534 8 6		

Appendix, N° 10.

A SCHEDULE of ACTS of PARLIAMENT passed between the 5th day of January 1835, and the 5th day of January last, for the Division, Inclosure, Drainage, Improvement and Sale of Lands, and for other Purposes in which the Interests of His Majesty are concerned.

AN ACT to amend and alter an Act of the 59th year of his late Majesty King George the Third, for vesting in Commissioners the Line of Road from Shrewsbury, in the County of Salop, to Bangor Ferry, in the County of Carnarvon; and for discharging the Trustees under several Acts of the seventeenth, twenty-eighth, thirty sixth, forty-first, forty-second, forty-seventh and fiftieth years of his then present Majesty, from the future Repair and Maintenance thereof; and for repealing so much of the said Acts as affects the said Line of Road.

AN ACT to amend the Acts relating to the Hereditary Land Revenues of the Crown in Scotland.

AN ACT for making and maintaining a Bridge over the River called "The Portland Ferry," in the County of Dorset, with proper Approaches thereto.

Appendix, N° 11.

AN ACCOUNT of a PURCHASE, made by The Crown, of a FREEHOLD MESSUAGE or DWELLING HOUSE, in the vicinity of Windsor Castle, subject to an Annuity of £. 40. to *Ann M'Bean*, Widow of James M'Bean, during her Life, in compensation and satisfaction for her Dower.

DATE.	PREMISES PURCHASED.	PURCHASE MONEY.
1834:		£. s. d.
September - 18.	Of George Flint and others, a Freehold Messuage or Dwelling-house, situated on the South side of the Castle Hill, at Windsor, formerly in the Occupation of Mr. M'Bean, and now of Francis Miles Milman, esquire - - - - - - - - - - - - -	3,500 - -

Appendix, N° 12.

A SCHEDULE, containing the PARTICULARS of a PURCHASE, made by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, of LEASEHOLD PROPERTY, required for the purposes of the Act of 7th GEO. IV. c. 77, intituled, "An Act to extend to Charing Cross, the Strand, and Places adjacent, the Powers of an Act for making a more convenient Communication from Mary-le-bone Park; and to enable the Commissioners of His Majesty's Woods, Forests and Land Revenues, to grant Leases of the Site of Carlton Palace."

DATE OF PURCHASE.	NAME OF LEASEHOLDER.	PREMISES.	DATE of Expiration of Lease.	RENT reserved.	PURCHASE MONEY.
1835:				£. s. d.	£. s. d.
October - - 5.	George Daniel Harvey - - - - -	No. 474, Strand - - - - -	Lady-day 1846 - - -	3 - -	1,940 - -

Appendix, N° 13.

A SCHEDULE of the PARTICULARS of Two LEASES granted by the Commissioners of His Majesty's Woods, Forests, &c., under the Authority of the said Act of 7th GEO. IV. c. 77.

DATES OF LEASES.	PREMISES.	LESSEES.	TERMS OF YEARS granted.	RENTS reserved.	OTHER CONSIDERATIONS for the NEW LEASES.
1835:				£. s. d.	
March - - 20.	A Plot of Ground at the corner of Cockspur Street and Pall Mall, with the Messuage, numbered 13, in Cockspur Street, thereon - - - -	- - William Cullum and Thomas Sharpus, (on the nomination of Dixon Gibbs, and Christopher Gabert, Executors of the late Edward Sharpus) - - - -	98 years from 5 April 1830	First three years a Peppercorn, and afterwards 168 - -	- - Cost of erecting and completing the Messuage, and insuring the same to an amount equal to two-third parts, at least, of its value.
April - - 15.	A Plot of Ground on the East side of Saint Martin's Place, and South side of Chandos Street, with a Messuage, Shops and Buildings thereon - -	William Mountford Nurse - - -	99 years from 5 Jan. 1832	First two years a Peppercorn, and afterwards 120 - -	- - Surrender to His Majesty of a Lease granted, 7th May 1833, to Mr. Nurse, of these Premises, for the same term, and at the like rent; and the Cost of erecting and completing the Messuage and Buildings, and insuring the same to an amount equal to two-third parts, at least, of their value.

A SCHEDULE, containing the Particulars of a PIECE of GROUND, belonging to The Crown, sold, by Private Contract, by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, under the authority of the Act of 1st & 2d WILLIAM IV. c. 29, intituled, "An Act to authorize and empower the Commissioners appointed by an Act of the seventh year of his late Majesty, King GEORGE the Fourth, for extending to Charing Cross, the Strand, and Places adjacent, the Powers of an Act for making a more convenient Communication from Mary-le-bone Park, to make and form a New Street from the Strand to Charles Street, Covent Garden, and to widen the North End of Bow Street into Long Acre; and for other purposes."

DATE OF CONVEYANCE.	LAND SOLD.	NAME OF PURCHASER.	PURCHASE MONEY.
1835: August - - 11.	A Piece of Ground at the North-east Corner of York Street, and the New Street from the Strand to Charles Street, Covent Garden, containing a Frontage of 20 feet towards York Street, and 33 feet towards the said New Street -	Stephen Bird - - - - -	£. s. d. 600 – –

Appendix, N° 15.

A SCHEDULE, containing the Particulars of an ARRANGEMENT made by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, for acquiring, on behalf of The Crown, certain FREEHOLD PROPERTY, required for the purposes of the said Act of 1st & 2d WILLIAM IV. c. 29.

DATE OF CONVEYANCE.	NAME OF FREEHOLDER.	PREMISES.	OBSERVATIONS.
1834: June - - 20.	The Most Noble John Duke of Bedford, K. G. - - - - -	Nos. 1, Tavistock Street, and 9 & 10, York Street, Covent Garden -	- - The Duke of Bedford, on the 20th June 1834, conveyed, to The Crown, such portion of the Freehold Ground, forming the Sites of the Houses Nos. 1, Tavistock Street, and 9 and 10, York Street, as was required for making the New Street from the Strand to Charles Street, Covent Garden, subject to the Leases thereof granted to John Noble, John Sotheby and George Austin; and which Leases had been purchased, by The Crown, of John Otridge, William Henry Davies and John Wilson, as detailed in the Appendices to the 4th, 5th and 6th Annual Reports of the said Commissioners to the Legislature. And— The said Commissioners surrendered to the Duke of Bedford, on the 31st December 1834, the Leasehold Interests, acquired by them under the above-mentioned Purchases, in that portion of the Sites of the said Houses, which was not required for the purposes of the said New Street.

Appendix, N° 16.

AN ACCOUNT of an EXCHANGE, made under the authority of the said Act of 1st & 2d WILLIAM IV. c. 29, of Part of the FREEHOLD ESTATE of The Crown for part of the FREEHOLD ESTATE of Individuals, and of the Sum paid for equalizing the Exchange.

DATE OF CONTRACT.	PERSONS with whom the Exchange has been made	FREEHOLD PROPERTY EXCHANGED.	
		BELONGING TO HIS MAJESTY.	BELONGING TO INDIVIDUALS.
1834: December - 30.	Joseph Hallmarke and William Mason - -	- - Ground on the West side of Bow Street, Long Acre, with Stables, Workshops and Buildings thereon, and £. 500 for equalizing the Exchange - - - - - - -	- - Ground on the West Side of Bow Street, and North Side of Hart Street, including the back Premises of No. 45, Hart Street.

Appendix, N° 17.—A SCHEDULE of all PERPETUAL UNIMPROVABLE RENTS payable to THE CROWN in *Ireland*, which have been sold by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, conformably with the Provisions of the Acts 10 GEO. IV. c. 50. and 2 WILL. IV. c. 1, from the 5th January 1835 to the 5th January 1836; specifying the Dates of the Conveyances, the Names of the Purchasers, the Amount of the Consideration Monies, and other Particulars relating thereto.

PATENTEES.	COUNTIES.	BARONIES.	DENOMINATIONS.	YEARLY RENTS SOLD. Late Irish Currency. £. s. d.	YEARLY RENTS SOLD. British Currency. £. s. d.	NAMES of PURCHASERS.	NUMBERS of Conveyances.	DATES of Conveyances.	PURCHASE MONEY. £. s. d.
The Lord Conway and Sir George Rawden	Dublin -	City of Dublin	- - Several Tenements or void spaces of Ground fronting St. Stephen's Street, between the Lord Aungier's House and the Churchyard -	1 6 1½	1 4 1½	John Narney, Esq. -	250	1835: Jan. - 29	34 3 –
Sir George Carr, knt.	Kildare -	Naas - -	- - The Castle and certain Lands in the Town of Naas and Maudlins, called Blackditch, and the Tithes of Johnstowne, Tipper and Cradockstowne, with other Lands and Hereditaments, in the Barony of Naas, at per annum, late Irish Currency - - - £.16 17 6 Of which Dean Burgh has purchased 12 13 1	12 13 1	11 13 7½	The Very Rev. Thomas John Burgh - -	251	Feb. - 3	299 – –
Thady Meary - Stephen Charnock -	Tipperary	Lower Ormonde Upper Ormonde	Lands in Gortmungagh, part of Castletowne - Lands in Ballyknockane - - - -	– 13 11 2 10 8½	– 12 10¼ 2 6 9¾	The Rev. Ralph Stoney	252	Feb. - 3	80 10 –
William Foxteeth, otherwise Foxtell	Meath -	Deece - -	Lands in Killmore - - - - - Lands in Jenkinstowne - - - -	8 18 10¾ – 1 2	8 5 1½ – 1 1	Daniel M'Kay, Esq. -	253	Feb. - 11	215 7 –
William Pope -	City of Limerick.	Liberties of Limerick.	Lands in Derryknockane, at per annum, late I. C. - - £.6 10 7¼ Of which Mr. Gloster has purchased 3 2 –¾	3 2 –¾	2 17 3½	George Gloster, Esq.	254	Feb. - 21	76 19 –
George Evellin and Elizabeth, his Wife	Tipperary -	Middlethird	Garrane, at per annum, late I. C. 5 14 –¾ Of which Mr. Brennan has purchased – 3 3¾ Lands in Ballylosky - - - - - Lands in Magorey - - - - - Lands in Cloghitaney - - - - - Lands in Lismaynaine - - - - - Lands in Corbally - - - - - Lands in Pepperstowne - - - - Lands in the east part of Killkenny-begg -	– 3 3¾ 1 – 4 4 19 3¾ 1 13 – – 1 9¾ 4 15 8½ 1 18 6¾ – – 6	– 3 –¾ – 18 9¼ 4 11 8 1 10 5½ – 1 8 4 8 4¼ 1 15 7¼ – – 5½	Robert Brennan, Esq.	255	April 27	349 – –
Sir Richard Pine -	Cork - -	Barrimore -	Ballyrobert, otherwise Robertstowne, otherwise Ballygobnett - - - - -	– 4 9½	– 4 5	Henry H. Peard, Esq. -	256	May - 1	7 15 6
Sir Hans Hamilton -	Armagh -	Tuterax and Tawrany -	The upper half of Tullaghbrackoughter -	– 16 3½	– 15 –¼	- - The Trustees of the Charities of Dr. John Stearne, late Lord Bishop of Clogher, deceased -	257	May - 29	22 7 –
Andrew Wilson, Esq.	Donegal -	Rapho - -	- - The Manor of Wilson's Fort, with the Lands and Hereditaments thereunto belonging, at £.42 19 6½ Of which Mr. and Mrs. Hay Stuart have purchased - - 24 19 6½	24 19 6½	23 1 1½	- - Charles Allen Hay, otherwise Stuart, of Logie, and Anne Stuart, otherwise Gardner, his Wife - -	258	June - 5	584 5 –

Sir John Cole -	- - - Waterford	Middlethird	Garrause, part of Drumcannon - - -	2 17 1¼	2 12 8½	The Rev. John Bury Palliser - -	259	June - 5	412 7 6	
			Little Newtowne - - - - -	2 2 6¼	1 19 3					
			Ballynakill - - - - - -	3 2 6¾	2 17 9					
			Donkill - - - - - - -	3 9 3	3 3 11					
			Killcannon - - - - - - -	1 10 4½	1 8 -½					
			Ballynegrecough - - - - -	2 3 5¼	2 - 1¼					
John Palliser -	- - - -	Decies and Middlethird	- - Four yearly Fairs and a weekly Market at the Town and Lands of Kilcomragh and Annestowne - - - - - -	2 - -	1 16 11					
Bryan Higgins -	Westmeath	Clonlonan -	Carne - - - - - - - -	6 7 6½	5 17 8¾	Thomas Trench, Esq. -	260	June - 26	153 17 -	
John Bourke - -	Limerick -	Connelloe -	Lands in Athea - - - - - -	3 6 11	3 1 9½	Thomas Goold, Esq. -	261	July - 6	83 - -	
Sir John Fagg, Bart.	Meath -	Deece - -	Ten Parcels of Land in Bannocks and Little Killaney - - - - - -	2 4 7½	2 1 2¼	- - - - - -	262	- - -	55 - -	
Gerald Topp, Assignee of Martin Poles - -	Kildare -	Narragh and Reban -	The late Preaching House at Athy - -	- 2 -	- 1 10¼	- - The Most Noble August Frederick Duke of Leinster -	263	June - 27	3 2 -	
Sir James Weymes -	City of Dublin	City of Dublin	- - Six Acres of Land, with the Appurtenances, in Oxmantowne, adjoining to the Highway leading to Ballybought Bridge, formerly in the possession of William Kevill - - -	1 10 -	1 7 8¼	- - - - -	264	- - -	38 - -	
Edward Browne -	Roscommon	Boyle - -	Lands in Aghadrislane - - - -	- 3 7¾	- 3 4½	- - The Right Hon. Dominick Browne, as Trustee - - - -	265	Sept. - 3	6 6 -	
John Lord Kingston	Cork - -	Coursey -	Old Court - - - - - - -	2 19 3	2 14 8¼	James Sandys, Esq.	266	Sept. 25	76 8 -	
Jeremy Donovan -	- ditto -	- ditto -	Lands in Killcollman - - - - -	2 8 8	2 4 11		267		61 8 -	
Lord Conway and Sir Geo. Rawden, Bart. - - -	Wicklow -	Ballinecor -	Ballinecor - - - - - - -	15 10 -	14 6 1¾	William Kemmis, Esq.	268	Oct. - 19	635 10 -	
			Fannieren - - - - - - -	3 15 8¾	3 9 10¾					
			Ballyshanterriffe - - - - - -	3 18 2	3 12 1¾					
			Ballykryerry, otherwise Ballyknynerry, otherwise Ballycrine - - - - -	3 16 6	3 10 7½					
Bartholomew Peisley	Dublin -	Newcastle and Uppercross -	A ruinous Castle, one Messuage and certain Land in Tipperkeavan - - - -	- 15 -	- 13 10¼	Edward Tickell, Esq. -	269	Nov. - 28	20 16 -	
Sir Richard and Henry Ingoldsby	Meath -	Kells - -	Lands in Cranastowne, Priestowne, Corballys, Ballyboy and Cookestowne - - -	19 1 10¼	17 12 5¾	James Smyth Scott, Esq.	270	Sept. 26	459 - -	
			Lands in Ballybeg, Fordestowne and Curraghstowne, at per annum, late I. C. - - £. 12 5 4¾	- 1 -½	- - 11½					
			Of which Mr. Scott has purchased - 1 -½							
			Lands in Curraghstowne - - - -	- 8 1¼	- 7 5¾					
		Late Irish Currency - - £.		153 13 4¾						
		TOTAL Yearly Rents sold - - British Currency - - - £.		-	141 17 -	TOTAL Purchase Money - - - £.			3,674 1 -	

Appendix, N° 18.

AN ABSTRACT of the ACCOUNTS of the COLLECTORS of the RENTS

Dr COLLECTORS.

	£.	s.	d.	£.	s.	d.
To Cash due on 5th January 1835						
– Arrears claimed on Insolvent List, and outstanding on 5th January 1835						
– Solvent Arrears of Quit, &c. Rents, outstanding on 5th January 1835						
– Arrears overclaimed by former Collectors						
– One Year's Charge of Quit, &c. Rents, due 29th September 1835						
Deduct, Remaining Gale of Rents purchased, from Easter 1834; Nos. of Conveyances 231 to 241	30	–	6 5/8			
Rents purchased from Michaelmas 1834; Nos. of Conveyances 242 to 254	58	3	10 1/2			
Gale of Rents purchased from Easter 1835; Nos. of Conveyances 255 to 267	35	11	3			
Rents of Crown Lands of Lackandaragh and Monananig, County Cork, reserved by Lease dated 20th February 1795, to the Right honourable Richard Longfield, discharged from 1st May 1834, the Lands having been sold from that period, Board's Order, dated 21 February 1835	175	7	8 1/2			
Rents discharged by Board's Orders, respectively dated 26th March 1835	4	–	1 1/4			
Gale of Rents discharged by Board's Order, dated 10th July 1835	–	9	2 3/4			
				303	12	8 5/8
				54,605	3	3 1/2
Add, One Year's Rent of New Charge (Fairs, &c. at Ballyvoughan, County Clare)				2	–	–
Ditto – – ditto – (Markets at Ennis, County Clare) – –				1	10	9
One Gale of – – ditto – (Fairs at St. John's Green), City of Kilkenny				–	6	2
						54,609 – 2 1/2
– Arrears on New Charge, (Fairs, &c. at Ballyvoughan)						1 – –
– Fees on Acquittances						1,139 6 8
– Arrears of Leasehold Rents, outstanding on 5th January 1835						4,910 17 5
– One Year's Charge of ditto, due 1st November 1835						1,427 13 7 1/2
					£.	185,813 7 5

	£.	s.	d.
To Cash due on 5th January 1835			
– Arrears claimed on Insolvent List, and outstanding on 5th January 1835			
– Solvent Arrears of Quit, &c. Rents, outstanding on 5th January 1835			
– Arrears overclaimed by former Collectors			
– One Year's Charge of Quit, &c. Rents, due 29th September 1835			

	£.	s.	d.
Deduct, Remaining Gale of Rents purchased, from Easter 1834; Nos. of Conveyances 231 to 241	30	–	6 5/8
Rents purchased from Michaelmas 1834; Nos. of Conveyances 242 to 254	58	3	10 1/2
Gale of Rents purchased from Easter 1835; Nos. of Conveyances 255 to 267	35	11	3
Rents of Crown Lands of Lackandaragh and Monananig, County Cork, reserved by Lease dated 20th February 1795, to the Right honourable Richard Longfield, discharged from 1st May 1834, the Lands having been sold from that period, Board's Order, dated 21 February 1835	175	7	8 1/2
Rents discharged by Board's Orders, respectively dated 26th March 1835	4	–	1 1/4
Gale of Rents discharged by Board's Order, dated 10th July 1835	–	9	2 3/4

	£.	s.	d.
	303	12	8 5/8
	54,605	3	3 1/2
Add, One Year's Rent of New Charge (Fairs, &c. at Ballyvoughan, County Clare)	2	–	–
Ditto – – ditto – (Markets at Ennis, County Clare) – –	1	10	9
One Gale of – – ditto – (Fairs at St. John's Green), City of Kilkenny	–	6	2

	£.	s.	d.
	54,609	–	2 1/2
– Arrears on New Charge, (Fairs, &c. at Ballyvoughan)	1	–	–
– Fees on Acquittances	1,139	6	8
– Arrears of Leasehold Rents, outstanding on 5th January 1835	4,910	17	5
– One Year's Charge of ditto, due 1st November 1835	1,427	13	7 1/2
£.	185,813	7	5

Appendix, N° 19.

A SCHEDULE of all LEASES of Parcels of the LAND REVENUES of THE CROWN in *Scotland*, granted by the 3 & 4 WILL. IV. c. 69, showing the Date of the Lease; the Premises comprised therein; the Name of the

DATE of LEASE.	PREMISES.	LESSEE.	TERM of Years granted.
1834: March - 12-17.	– – The Tithes of 89 A. 3 R. 1 P. of Land, parcels of the Lands of Meikle Cowcaddens, Nether Newton, Woodside and Blythswood, situated in the Barony Parish of Glasgow, and Sheriffdom of Lanark, being the unfeued portions of the said Lands, the property of Archibald Campbell, of Blythswood, Esq.; which said Tithes are parcel of the possessions of the late Archbishops of Glasgow, and now the property of His Majesty by the abolition of Episcopacy in Scotland – – – –	– – The said Archibald Campbell, his Heirs and Assignees –	– – 19 Years from 15 May 1834 –

Appendix, N° 18.

payable to The Crown in *Ireland*, in the Year ended the 5th January 1836.

CONTRA. Cr

	£. s. d.	£. s. d.
By Cash remitted	- - -	53,466 13 1
– Cash due	- - -	1,588 1 9⅜
– Incidental Expenses	- - -	39 14 6
– Arrear to 1st November 1834 on Rent of Lackandaragh, &c. discharged from 1st May 1834	- - -	87 13 10¼
– Arrears on Rents discharged by Board's Order, dated respectively 26th March and 10 July 1835	52 16 6½	
– Arrears on Fairs of Rathnamannagh, County Mayo, discharged by Board's Order, dated 15th April 1835	19 1 8¼	
– Arrears on ditto of Moneygall, King's County, returned on Insolvent List, discharged by Board's Order, 15th December 1835	32 13 9¾	
		104 12 –½
– Cash paid by General Barry on 1st March 1833 into the Woods and Forests Fund on account of Mesne Profits of Parcel of the Crown Lands of Monananig, now credited to Arrears of Leasehold Rent due thereon, Board's Order, dated 21st February 1835	- - -	304 17 8
– Payments made by the Representatives of The Crown Lessee, from 1st November 1794 to 1st November 1815, on account of an old Leasehold Rent of £. 8. Irish Currency, erroneously kept in charge after the execution of the New Lease, also credited to the Rent reserved in the latter, under the aforesaid Order, £. 168. Irish Currency, or British	- - -	155 1 6½
– Arrears on Monananig, which accrued during the possession of the Lands by General Barry, (who on payment of the above Sum of £. 304. 17. 8. was exonerated by Exchequer Decree from further demand in respect thereof) now discharged as irrecoverable, under the aforesaid Order	- - -	443 9 7½
– Arrears overclaimed by former Collectors	- - -	573 11 4½
– Solvent Arrears of Quit, &c. Rents, outstanding on 5th January 1836; viz.		
Former Years	6,494 18 2¼	
Current	28,953 – –¼	
		35,447 18 2½
– Arrears claimed on Insolvent List to 5th January 1835	87,465 17 4½	
£. s. d.		
Deduct, Receipt on ditto (included in Cash remitted) 24 15 3¼		
Discharged as above, (Fairs at Moneygall) 32 13 9¾		
	57 9 1	
	87,408 8 3¼	
Add, One Year's Rent of ditto, to 5th January 1836	561 15 7½	
		87,970 3 10¾
– Two Years' Tithe Composition (Incumbent's Proportion) to 1st November 1835, for The Crown Lands of Kilconcouse, &c. King's County, Board's Order, 29th November 1834	- -	29 4 7
– Leasehold Arrears outstanding on 5th January 1836	- - -	5,602 5 3⅛
	£.	185,813 7 5

Certified, 19th April 1836.

J. Burke, Clerk, Quit Rents.

Appendix, N° 19.

Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, under the authority of the Act Lessee; the Term of Years granted; the Rent reserved; and the Consideration Money paid for the same.

RENT reserved.	FINES paid for the same.	Other Considerations for LEASE.	OBSERVATIONS.
£. s. d.	£. s. d.		
8 9 –	95 – –	- - The payment by the Lessee of all Ministers' Stipends, and other Parochial Burthens chargeable upon the Tithes demised - - -	- - The last Lease of the Tithes of the Lands of Cowcaddens, Nether Newton, Woodside and Blythswood, was granted by his late Majesty King George the Third to Captain John Campbell, the then Proprietor thereof, on 6 August 1779, for a term of 19 Years from Michaelmas 1780, at certain Victual Rents amounting, *communibus annis*, to £. 6. 7.; and for a Fine then paid of £. 70. 8. 3¾. The Tithes of the remaining parcels of these Lands will fall to be collected with the Tithes of the other Lands within the Parish of Glasgow, the Lease of which will expire at Martinmas 1836.

Appendix, N° 20.

AN ACCOUNT of Sums received and expended by the Commissioners under the Act

CHARGE:	£.	s.	d.
Balance in hand 5th January 1835	2,094	2	11
St. Alban's and South Mims Trust:			
Received on account of Balance due to Commissioners of the Holyhead Road	1,395	10	–
Dunchurch and Stonebridge Trust:			
Received on account of Loan of £. 12,000.	1,500	–	–
Bilston Trust:			
Received on account of Loan of £. 5,000.	600	–	–
Wolverhampton Trust:			
Received on account of Loan of £. 8,500.	1,174	13	2
Menai Bridge:	£.	s.	d.	
Received on account of Tolls collected	970	2	4	
Ditto for a Proving Machine and Oil-trough	35	–	–	
				1,005 2 4
Conway Bridge:				
Received on account of Tolls collected				432 15 –
Shrewsbury and Holyhead Road:				
Received of the Exchequer the amount voted by Parliament for repairing and pointing Walls on the sides of the Roads	2,000	–	–	
And for altering a House of Bangor	35	–	–	
				2,035 – –
Holyhead Harbour:				
Received for Harbour Dues	185	19	5	
Ditto Rent for Store-yard, &c.	61	5	–	
Ditto Storeage of damaged Goods	2	10	–	
Ditto of the Exchequer the amount voted by Parliament for Harbour Works	1,247	6	–	
				1,497 – 5
Howth Harbour:				
Received of the Exchequer the amount voted by Parliament for Harbour Works				442 10 4
Howth and Dublin Road:				
Received of the Trustees of the Malahide Road Half-a-year's Contribution to 1st Sept. 1833				276 18 5
Hockliffe and Stratford Trust:				
Received on account of Balance due to the Commissioners of the Holyhead Road				1,500 – –
Parliamentary Fees, Salaries, Law Charges and other incidental Expenses:	£.	s.	d.	
Received of the Exchequer the amount voted by Parliament for these services	1,753	3	8	
Ditto of Herries & Co. Balance remaining in their hands as Bankers	4	3	5	
				1,757 7 1
			£.	15,710 19 8

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Appendix, N° 20.

3 & 4 WILL. IV. c. 43, from the 5th day of January 1835 to the 5th day of January 1836.

DISCHARGE:

	£. s. d.	£. s. d.
THE HIGHGATE ARCHWAY COMPANY'S TRUST:		
Paid for Law Expenses in the years 1831, 1832 and 1833		24 17 8
ST. ALBAN'S AND SOUTH MIMS TRUST:		
Paid for Law Expenses in the years 1831, 1832 and 1833		90 12 3
DUNCHURCH AND STONEBRIDGE TRUST:		
Paid purchase of Land for the improvement of the Roads	784 7 3	
Paid the Exchequer for Principal and Interest on Loan of £. 12,000.	1,563 15 5	
		2,348 2 8
BILSTON TRUST:		
Paid for Law Expenses in the years 1831, 1832 and 1833	52 11 –	
Paid the Exchequer for Principal and Interest on Loan of £. 5,000.	600 – –	
		652 11 –
WOLVERHAMPTON TRUST:		
Paid the Exchequer for Principal and Interest on Loan of £. 8,500.		1,174 13 2
MENAI BRIDGE:		
Paid for Repairs and Bridge-keeper's Wages	245 – 8	
Paid for Law Expenses in the years 1831, 1832 and 1833	45 1 6	
		290 2 2
CONWAY BRIDGE:		
Paid for Repairs and Bridge-keeper's Wages	103 8 3	
Paid for Law Expenses in the years 1831, 1832 and 1833	39 9 6	
		142 17 9
SHREWSBURY AND HOLYHEAD ROAD:		
Paid for repairing and pointing Walls, &c.	1,494 1 7	
Paid for Wages of Inspectors of ditto	16 5 6	
		1,510 7 1
HOLYHEAD HARBOUR:		
Paid for Salaries, Wages, Harbour Works, &c.	2,060 17 8	
Paid for Commission on collecting Harbour Dues, &c.	58 19 8	
		2,119 17 4
HOCKLIFFE AND STRATFORD TRUST:		
Paid Compensation for Damages to Property at Fenny Stratford		208 13 –
HOWTH HARBOUR:		
Paid Salaries, Wages, Harbour Works, &c.		620 6 5
HOWTH AND DUBLIN ROAD:		
Paid Wages, Road Works, &c.		320 6 7
STRATFORD AND DUNCHURCH;		
Paid for Law Expenses in the years 1831, 1832 and 1833		113 18 4
Paid Parliamentary Fees, Salaries, Law Charges and other incidental Expenses		1,842 15 –
	£.	11,460 – 5
Balance		4,250 19 3
	£.	15,710 19 8

Appendix, N° 21.

HOLYHEAD ROADS.

ACCOUNTS of Loans advanced by the Commissioners for the Issue of certain Exchequer Bills for Public Works and of Issue, the Amount of Loans, Rates of Interest, Repayment of Principal, Payment of Interest, Fees to Officers of Exchequer to 5th January 1836, and the Total Amounts of Principal and Interest remaining unpaid on that Day.

NAMES of TRUSTS.	DATE of ISSUE.	AMOUNT of LOAN.	RATES OF INTEREST.	PRINCIPAL REPAID.
		£.		£. s. d.
St. Alban's and South Mims	11 July 1823	10,000	4 per cent. per annum	6,477 5 4
Hockliffe and Stratford	15 June 1821	7,000	5 per cent. to 21st April 1823, and then reduced to 4 per cent.	8,500 – –
	11 July 1823	1,500		
Stratford and Dunchurch	3 Nov. 1820	8,000	5 per cent. to 3d November 1823, and then reduced to 4 per cent.	13,000 – –
	26 Nov. 1822	5,000	4 per cent.	
Dunchurch and Stonebridge	15 June 1821	3,500	5 per cent. to 13th January 1823, and then reduced to 4 per cent.	5,500 – –
	- ditto -	2,000	5 per cent. to 26th July 1822, and then reduced to 4 per cent.	
Wolverhampton	15 June 1821	2,500	5 per cent. to 26th July 1822, and then reduced to 4 per cent.	3,000 – –
	11 July 1823	500	4 per cent.	
Shiffnal	15 June 1821	2,000	5 per cent. to 6th December 1822, and then reduced to 4 per cent.	2,000 – –
Wellington	- ditto -	2,000	5 per cent. to 29th August 1822, and then reduced to 4 per cent.	2,000 – –
	£.	44,000	£.	40,477 5 4

Exchequer Bill Loan Office, South Sea House, 15th June 1836. *J. Strettel Brickwood*, Secretary.

Appendix, N° 22.

AN ACCOUNT, up to the 5th of January 1836, of the Sums advanced out of the Consolidated Fund for the Improvement of remaining to be paid, the Amount due for Interest, and the estimated

NAMES OF TRUSTS.	DATES of ISSUE.	AMOUNT of LOANS.	RATE of INTEREST.	PRINCIPAL REPAID.	INTEREST PAID.	FEES PAID to Officers of Exchequer.
		£.		£. s. d.	£. s. d.	£. s. d.
Highgate Archway Company	9 May 1829	4,000	4 per cent.	– – –	399 9 –	– 11 –
	11 Aug. 1829	6,000				
	11 Feb. 1830	2,000				
	26 April 1831	1,000				
St. Alban's and South Mims	1 April 1826	4,000	3 per cent.	– – –	– – –	– –
	23 Feb. 1827	1,000	4 per cent.	– – –	– – –	– – –
	23 Feb. 1827	14,000	4 per cent.	– – –	– – –	– – –
Hockliffe and Stratford	9 May 1829	4,700	4 per cent.	– – –	– – –	– – –
Stratford and Dunchurch	23 Feb. 1807	2,000	4 per cent.	– – –	– – –	– – –
	12 Feb. 1830	3,000				
Dunchurch and Stonebridge	6 Nov. 1827	12,000	4 per cent.	7,176 10 4¼	2,927 15 9⅜	6 6 –
	9 May 1829	4,000	4 per cent.	– – –	– – –	– – –
Bilston	1 April 1826	5,000	3 per cent.	4,475 16 1	1,020 4 5	3 18 6
Wolverhampton	1 April 1826	3,000	3 per cent.	3,000 – –	557 13 6	2 4 6
	9 May 1829	3,000	4 per cent.	722 16 10	2,004 15 4	1 3 –
	11 Aug. 1829	5,500				
Shiffnal District of Watling-street Trust	1 April 1826	4,000	3 per cent.	– – –	480 – –	1 3 –
	11 Aug. 1829	5,500	4 per cent.	– – –	– – –	– – –
		£. 83,700	– – –	15,375 3 3¼	7,389 18 –¾	15 6 –

Appendix, N° 21.

HOLYHEAD ROADS.

oyment of the Poor to the different Trusts in the Line of Road between *London* and *Shrewsbury*; showing the Dates Board, Total Payments, Balance of Principal remaining unpaid, the Date to which Interest has been paid, Interest

TEREST PAID.	FEES to Officers of Exchequer Loan Board.	TOTAL PAYMENTS.	BALANCE of PRINCIPAL remaining unpaid.	DATE to which INTEREST has been paid.	INTEREST to 5th January 1836.	TOTAL AMOUNT of Principal and Interest unpaid 5th January 1836.
£. s. d.		£. s. d.	£. s. d.		£. s. d.	£. s. d.
097 10 1	- Nil. -	10,574 15 5	3,522 14 8	11 July - 1835	68 14 4	3,591 9 -
492 11 10	- Nil. -	10,992 11 10	- - -	3 July - 1833	—	—
,199 17 10	- Nil. -	17,199 17 10	- - -	26 Nov. - 1835	—	—
,247 8 5	- Nil. -	6,747 8 5	- - -	3 July - 1828	—	—
787 6 1	- Nil. -	3,787 6 1	- - -	27 Oct. - 1829	—	—
715 4 -	- Nil. -	2,715 4 -	- - -	2 Feb. - 1833	—	—
442 15 4	- Nil. -	2,442 15 4	- - -	20 Aug. - 1830	—	—
,982 13 7	£.	54,459 18 11	3,522 14 8	£.	68 14 4	3,591 9 -

Ja^s Green, Accountant.

Appendix, N° 22.

Road from *London* to *Shrewsbury*; showing the Payments of Principal and Interest made on account thereof, the Balances ount of Tolls applicable to Payment of Balances.

TOTAL AYMENT.	BALANCES of Principal remaining to be paid.	DATE to which Interest has been paid.	INTEREST at present due.	Total Amount due for Principal and Interest.	ESTIMATED ANNUAL AMOUNT OF TOLLS applicable to Payment of Balance, and Interest thereon.
£. s. d.	£. s. d.		£. s. d.	£. s. d.	
400 - -	13,000 - -	- - -	2,780 4 9	15,780 4 9	- - £. 800, or such amount exceeding £. 800 as may be derived from additional Tolls.
- -	4,000 - -	- - -	1,171 14 6	5,171 14 6	- - £. 1,400, being the whole Toll collected at the Gate on the new Road from St. Alban's to Pond Yards, but subject to the payment of a balance of a loan of £. 10,000 from the Exchequer Bill Loan Commissioners, which will not be paid off for three or four years.
- -	1,000 - -	- - -	354 12 7	1,354 12 7	The same, subject to the above.
- -	14,000 - -	- - -	4,964 13 1	18,964 13 1	- - £. 1,900, but subject to the payment of £. 3,000 expended in completing the Road, and £. 3,000 for repairs for three years, at £. 1,000 per annum, making together £. 6,000, towards which £. 4,941. 14. 11. has been paid.
- -	4,700 - -	- - -	1,251 12 3	5,951 12 3	- - £. 1,041, being one-third of the whole Tolls of the Trust, the first payment on account of which will be made during the present year.
- -	5,000 - -	- - -	1,296 10 10	6,296 10 10	- - £. 1,269, being one-fifth of the whole Tolls of the Trust.
110 12 2	4,823 9 7½	14 Aug. 1835	76 2 4½	4,899 12 -	- - £. 1,837, being one-half of the whole Tolls of the Trust, and one-third of the City Tolls.
- -	4,000 - -	- - -	1,065 13 -	5,065 13 -	- - The same, subject to the payment of the above-mentioned balance.
199 19 -	524 3 11	18 Mar. 1835	12 12 5½	536 16 4½	- - £. 823, being one-third of the Tolls of the Trust.
559 18 -	- - -	31 July 1833	- - -		
728 15 2	7,777 3 2	1 June 1835	186 13 -½	7,963 16 2½	- - £. 1,299, being one-third of the Trust.
481 3 -	4,000 - -	1 April 1830	690 - -	4,690 - -	- - £. 550, being half the amount of Tolls collected at certain Gates within the Trust, and £. 120 out of other Tolls.
- -	5,500 - -	- - -	1,408 12 11	6,908 12 11	The same.
7 4	68,324 16 8½	- - -	15,259 1 9	83,583 18 5½	

Appendix, N° 23.

STATEMENT, to the 5th January 1836, of the RECEIPT and EXPENDITURE of MONIES forming the NEW
(under the Act

	£.	s.	d.	£.	s.	d.
RECEIPT:						
Produce of £. 400,000. Exchequer Bills advanced by the Commissioners for the issue of Exchequer Bills upon Loan	409,179	10	–			
Loan from the Equitable Assurance Company under the authority of the Act 10 Geo. IV. c. 61	300,000	–	–			
Produce of Sales of old Materials	21,723	11	2			
Produce of Sales of Land Revenue	787,523	13	10			
For equalizing Exchanges	14,758	13	4			
Of the Commissioners for building Churches, for Ground on the East side of Burleigh-street, required as a site for a Chapel of Ease to the Parish of St. Martin-in-the-Fields	2,182	19	–			
Miscellaneous	4,143	7	3			
				1,539,511	14	7

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Appendix, N° 23.

EET FUND, at the Bank of *England*, on account of Improvements at *Charing Cross*, the *Strand*, &c.
EO. IV. c. 77.)

	£. s. d.	£. s. d.
EXPENDITURE:		
mount paid for Purchases at Charing Cross and in the Strand -	871,010 2 –	
Ditto - - - ditto - Downing-street - - - - -	67,293 6 5	
Ditto - - - ditto - King-street - - - - -	17,028 10 –	
Ditto - - - ditto - Bedford-street - - - - -	7,325 – –	
Ditto - - - ditto - York-street, Tavistock-street, Long Acre, &c. - - - - - - - - - -	29,403 10 –	
		992,060 8 5
'ayments for equalizing Exchanges - - - - - - -		3,500 – –
Gratuities to Tenants at will - - - - - - - - -		17,872 – –
'ayments on account of Compensation to a Lessee rebuilding at his own expense, and agreeing to pay an increased Rent to the Crown - - - - -		9,102 15 –
'ayments for the Repairs of Buildings immediately abutting upon the Property required under the Act, and which were partially damaged by the removal of the adjoining Premises - - - - - - - - - - -		1,726 6 9
'ayments for inclosing a new Church-yard for the Parish of St. Martin-in-the-Fields, converting the same into Catacombs, and for erecting new Vestry Room and Sexton's Office, in lieu of those taken for the purposes of this Act - - - - - - - - - - - - - - - -		13,257 – 9
Law Charges, and Charges of Architects, Surveyors and others employed in Valuations and Purchases by private Contract, by reference to arbitration and by Verdicts of Juries - - - - - - - - - - - - -		48,860 1 –
	£. s. d.	
Rents paid to the Holders of Property required for these Improvements in cases where the interest of the Tenant has been purchased in the first instance - - - - - -	27,923 5 8	
Deduct, Rents received from Tenants in the line of these Improvements, where the interest of the Landlord has been purchased in the first instance - - - - -	7,046 6 9	
		20,876 18 11
Payments to make good deficiencies in Land Tax and Parochial Rates - -		23,835 8 –
Interest on Purchase-monies - - - - - - - - - - -		6,169 10 8
Salaries - - - - - - - - - - - - - - -		6,399 6 3
Office Incidents - - - - - - - - - - - - - -		466 17 1
	£. s. d.	
Auditors', Treasury and Parliamentary Fees - - - -	4,164 1 6	
Repayment of Monies advanced for Auditors' Fees - -	782 8 –	
		3,381 13 6
Exhumation of bodies from St. Martin's Church-yard - - - - - -		2,523 3 1
	£. s. d.	
Roads, Foot-paths, Pavements, &c. - - - - - - -	22,544 6 11	
Deduct Parochial Contributions - - - - - -	494 – –	
		22,050 6 11
To the Commissioners for building Churches, for ground on the West side of Burleigh-street, required for the purposes of the Act 1 & 2 Will. IV. c. 29 -		2,702 14 –
Miscellaneous - - - - - - - - - - - - - - -		3,540 2 10
		1,178,324 13 2
Amount invested in the purchase of Government Securities, to form a fund for the repayment of Loans (including Premium, Interest, Brokerage, &c.) - -		241,393 – 1
Produce of Exchequer Bills sold - - - - - - - - -		129,867 6 3
		111,525 13 10
Amount repaid on account of the principal sum of £. 400,000 advanced by the Commissioners for the issue of Exchequer Bills - - - - - - - -		65,000 – –
Amount repaid to the Equitable Assurance Company - - - - - -		180,000 – –
		245,000 – –
BALANCE in hand 5th January 1836 - - - - - - - - -		4,661 7 7
	£.	1,539,511 14 7

Appendix, N° 24. - - - - - - -

STATEMENT of the INCOME and EXPENDITURE of the MONIES arisen from the WOODS, FORESTS and the Management of the Commissioners of

ORDINARY INCOME FROM WOODS, FORESTS AND LAND REVENUES.

	£. s. d.	£. s. d.
BALANCES of the Account, being the Woods and Forests Fund at the Bank of England, standing in the names of the Commissioners of Woods, &c., 5 January 1835	76,653 6 11	
Balance of the like Account at the Bank of Ireland	32,565 19 –	
Balance of the like Account at the Royal Bank of Scotland	21,261 17 2	
Balances in the hands of the Receivers of Land Revenue in England and Wales	2,354 15 9¾	
Balances in the hands of the Deputy Surveyors of Woods and Forests	196 15 –¾	
Balances in the hands of Rangers, Wardens, Keepers and others	657 19 1½	
		133,690 13 1

PRODUCE OF THE LAND REVENUE.

		£. s. d.	£. s. d.	£. s. d.
England and Wales.	Fee-Farm Rents, Leasehold Rents, Profits of Mines, Manors, &c.	173,876 13 10¼		
	Light Duties, Rents and casual Revenue, not included in the Receivers' Accounts	13,649 15 7		
	Fines	7,233 – –		
		194,759 9 5¼		
	Sales of old Materials	1,734 17 3		
	Charges on the preparation of Crown Leases and Conveyances	801 5 6		
	Repayment of Monies advanced for Auditors' Fees, and Fees on Dockets of Assignments of Crown Leases	214 9 4		
	Miscellaneous	3,342 1 4		
			200,852 2 10¼	
Ireland.	Quit, Crown and Composition Rents, Mesne Profits, &c.	56,178 15 2		
	Fees from abolished Offices	11 7 8		
			56,190 2 10	
Scotland.	Crown Rents and Duties, Fines, Compositions, &c.		11,177 3 3	
Isle of Alderney.	Rents, Tithes, Royalties and Harbour Dues		347 – 2	
Isle of Man.	Tithes, Quit-Rents and Alienation Fines		3,748 18 8	
				272,315 7 9¼

THE ROYAL GARDENS, PARKS, FORESTS AND WOODLANDS.

	Department of the Ranger. £. s. d.	Department of the Commissioners of Woods. £. s. d.	£. s. d.	£. s. d.
Royal Gardens at Hampton Court and Kew	- - -	269 17 8	269 17 8	
St. James's and Hyde Parks, and Kensington Gardens	885 7 5	623 17 3	1,509 4 8	
The Regent's Park	- - -	2,646 7 10	2,646 7 10	
Richmond, Hampton Court, Bushy and Greenwich Parks, and the King's Private Roads	1,016 17 3	745 17 6	1,762 14 9	
Windsor Great Park	—	—	—	
Windsor Home Park	—	—	—	
Phœnix Park, Dublin	- - -	334 15 5	334 15 5	
				6,523 – 4
Windsor Forest (Crown Allotments)	- - -	967 14 3	967 14 3	
New Forest, New Park and Parkhurst Forest	- - -	13,078 8 2½	13,078 8 2½	
Dean Forest and High Meadow Woods	- - -	9,635 14 4	9,635 14 4	
Bere Forest	- - -	1,899 10 3	1,899 10 3	
Delamere Forest	- - -	811 16 1	811 16 1	
Whittlewood Forest	- - -	1,781 4 7	1,781 4 7	
Salcey Forest	- - -	642 7 2	642 7 2	
Whichwood Forest	- - -	1,377 19 11½	1,377 19 11½	
Hainault or Walthâm Forest	- - -	752 – –	752 – –	
Alice Holt and Woolmer Forests	- - -	1,041 13 5	1,041 13 5	
Gillingham, Meopham and Shooter's Hill Woods	- - -	1,704 5 –¾	1,704 5 –¾	
Chopwell Woods	- - -	395 13 10	395 13 10	
				34,088 7 1¾
			Carried forward - - - £.	446,617 8 4

Appendix, N° 24.

AND REVENUES of The CROWN, in the Year ended the 5th of January 1836; and of other Monies under His Majesty's Woods, &c. within the same Period.

ORDINARY EXPENDITURE UPON WOODS, FORESTS AND LAND REVENUES.

	£.	s.	d.
ANCIENT STIPENDS and Annual Payments to Schools, Churches, Chapels and other Foundations, including Payments charged on the Land Revenue by the Act 3 & 4 Will. IV. c. 86	11,295	18	2¼
Salaries, Allowances, &c. to Receivers and others employed in the collection of Land Revenue, including their incidental disbursements	4,347	10	2
Allowances to Crown Tenants, for Repairs, &c.	2,725	7	11½

EXPENSES OF THE ESTABLISHMENT:—(Applicable to Woods, Forests and Land Revenues.)

	£.	s.	d.	£.	s.	d.
In London	12,092	3	4			
In Dublin	809	15	8			
	12,901	19	–			
Incidents	1,560	10	10			
				14,462	9	10
Payments to the late Auditors and Acting Auditors of Land Revenue				4,864	–	–
Law Charges and Expenses incurred in investigating, defending and maintaining the Rights of the Crown, and in soliciting and passing Acts of Parliament for the improvement of Crown Estates				7,846	2	6
Payments to Architects, Surveyors, &c. on account of their Bills for Journies, Surveys, Plans and other Professional Services, both in and out of London				1,527	18	9
Parliamentary, Treasury and Record Office Fees				982	14	6

	£.	s.	d.			
Rates, Taxes or Bounties in lieu thereof	162	13	–			
Redemption of Land Tax	1,761	2	8			
Rents	73	15	–			
Repairs and Improvements on Crown Estates	1,374	14	3			
Bounties in aid of Public Improvements connected with Estates of the Crown	3,310	–	–			
Compensations upon abolition or regulation of Office	2,613	8	9			
Superannuation and Retired Allowances	2,230	–	–			
Engrossing Conveyances and Crown Leases prepared in the Office	200	15	11			
Miscellaneous	5,271	9	3			
				16,997	18	10

THE ROYAL GARDENS, PARKS, FORESTS AND WOODLANDS.

	Department of the Ranger. £.	s.	d.	Department of the Commissioners of Woods. £.	s.	d.			
Royal Gardens at Hampton Court and Kew	–	–	–	1,404	17	10	1,404	17	10
St. James's and Hyde Parks and Kensington Gardens	1,374	14	4	12,555	–	4	13,929	14	8
The Regent's Park	–	–	–	4,871	17	10	4,871	17	10
Richmond, Hampton Court, Bushy and Greenwich Parks, and the King's Private Roads	2,295	4	–½	6,157	3	4	8,452	7	4½
Windsor Great Park	5,893	14	8	999	14	10	6,893	9	6
Windsor Home Park	558	6	–	126	15	8	685	1	8
Phœnix Park (Dublin)	–	–	–	1,303	3	9	1,303	3	9
							37,540	12	7½
Windsor Forest (Crown Allotments)	–	–	–	3,527	14	11	3,527	14	11
New Forest, New Park and Parkhurst Forest	2,291	6	5	7,181	6	2	9,472	12	7
Dean Forest and High Meadow Woods	288	16	–	6,989	14	7½	7,278	10	7½
Bere Forest	–	–	–	1,298	15	6¼	1,298	15	6¼
Delamere Forest	–	–	–	928	16	8	928	16	8
Whittlewood Forest	397	13	4	453	8	4	851	1	8
Salcey Forest	–	–	–	1,101	12	7¼	1,101	12	7¼
Whichwood Forest	143	18	8	318	12	7½	462	11	3½
Hainault or Waltham Forest	286	19	–	261	3	5	548	2	5
Alice Holt and Woolmer Forests	–	–	–	1,951	13	10	1,951	13	10
Gillingham, Meopham and Shooter's Hill Woods	–	–	–	2,504	14	1½	2,504	14	1½
Chopwell Woods	–	–	–	397	10	7	397	10	7
							30,323	16	10¼
Carried forward						£.	132,914	10	2½

Appendix, N° 24—*continued.* - - - - - - - -

STATEMENT of the Income and Expenditure of the Monies arisen from the Woods, Forests

	£.	s.	d.	£.	s.	d.	£.	s.	d.
Brought forward - - - £.							446,617	8	4
EXTRAORDINARY RECEIPTS.									
Sales of Estates and of unimprovable Rents in England and Wales -	58,689	2	10						
Enfranchisement of Copyholds - - - - - - - -	125	19	–						
				58,815	1	10			
Sales and Deposits upon Sales of Estates and of unimprovable Rents in Ireland - - - - - £.	4,740	11	4						
Deduct Repayment of Deposits on Sale of the Crown's reversionary Interest in the Lands of Roebuck, County Dublin - - - -	3,660	–	–						
	1,080	11	4						
Of the Trustees of the Chapels in St. Marylebone, belonging to the Crown, in part repayment of Monies advanced in aid of the Repairs of the said Chapels - - - - - - - -	550	–	–						
				1,630	11	4			
							60,445	13	2
PUBLIC WORKS AND BUILDINGS.									
Received on account of Monies voted by Parliament for Repairs, &c. of Public Buildings; for Furniture, &c. for the various Public Offices and Departments, and for certain Charges for Lighting, Watching, &c. and also for the Repairs and Alterations of Royal Palaces and Works in the Royal Gardens, heretofore charged upon the Civil List; and for the Repairs of the Royal Palace of Holyrood House, and certain Public Buildings in Scotland, heretofore charged on the Hereditary Revenue of Scotland - - - - - - - - - - - - - -				33,831	5	–			
Produce of the Sale of Furniture and Materials in Store - - - - - - -				3,306	15	8			
Repaid on account of Works executed, Furniture supplied, &c. for various Public Departments not provided for in the ordinary Grant of Parliament above mentioned -				4,550	16	6			
							41,688	17	2
HOLYHEAD AND HOWTH HARBOUR AND ROADS.									
Received from Tolls and by Grant of Parliament - - - - - - - - - - - -							8,138	16	9
						£.	556,890	15	5

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Appendix, N° 24—*continued.*

and Land Revenues of the Crown, in the Year ended the 5th of January 1836—*continued.*

		£. s. d
Brought forward - - - £.		132,914 10 2½
EXTRAORDINARY EXPENDITURE.		
Payments on account of the King's Palace in St. James's Park - £. 59,839 16 11	£. s. d.	
Ground Works - - - - - - - - - - 4,018 17 4		
	60,858 14 3	
Interest upon and part principal of a sum of £. 400,000 advanced by the Exchequer Bill Loan Commissioners, and Interest upon a sum of £. 300,000 advanced by the Equitable Assurance Company, upon the Security of the Land Revenues of the Crown, for the purposes of the Strand Improvements - - - - - - -	30,700 – –	
Amount paid to Messrs. Cox & Hammersley in discharge of their Mortgage upon York House, to be repaid to this Board out of the sum of £. 72,000 deposited by the Duke of Sutherland for the purchase of the said House, and at present invested in Exchequer Bills - - - - - - - - - - - - - - -	44,091 16 8	
Further Payments on account of the expense of forming a Road, &c. through the Crown Estate of Pobble O'Keeffe, in the county of Cork, and for opening an improved line of Communication between the counties of Cork and Kerry - -	5,247 3 –	
Payments on account of Improvements commenced by the Commissioners of Woods, &c. in Phœnix Park, Dublin - - - - - - - - - - - - -	500 – –	
Expense of removing and distributing to the Royal Parks, &c. a Herd of Deer, presented by Lord Spencer to His Majesty - - - - - - - - - -	599 4 1	
Purchases of Houses, &c. - - - - - - - - - - - - - -	1,605 11 2	
Transferred to the "New Street Fund" at the Bank of England, for the purposes of the 7th Geo. IV. c. 77, being the produce of Sales of Estates. (*Vide* Appendix, No. 23, pp. 38, 39.) - - - - - - - - - - - - - -	152,580 16 1	
		296,183 5 3
PUBLIC WORKS AND BUILDINGS.		
Expended upon Public Works and Buildings - - - - - - - - -	40,560 5 11	
Proportion of the Expense of the Establishment in London and Edinburgh applicable to the said Works and Buildings - - - - - - - - - - -	6,544 – 8	
Compensation upon the abolition or regulation of Offices - - - - - -	1,325 – –	
		48,429 6 7
HOLYHEAD AND HOWTH HARBOUR AND ROADS.		
Expended in the Maintenance and Repair of the Roads, Bridges and Harbours placed under the Commissioners of His Majesty's Woods, &c. by the Act 3 & 4 Will. IV. c. 34 - - - - - - - - - - - - - - - - - -	6,867 1 –	
Paid into the Exchequer - - - - - - - - - - - - - -	3,338 8 7	
		10,205 9 7
Paid into the Exchequer on account of the Revenues of the Principality of Scotland, in addition to a sum of £. 21,862. 16. 5. paid into the Exchequer in the year 1835, as stated in the Account for that year -		180 14 4
Balances, 5 January 1836:	£. s. d.	
In the Woods Fund, Bank of England, and at Messrs. Coutts & Co. - -	39,641 – 11	
The like at the Bank of Ireland - - - - - - - - - -	15,632 6 9	
The like in the Royal Bank of Scotland - - - - - - - - -	10,609 16 3	
In the hands of Receivers of the Land Revenue in England and Wales -	2,243 7 2½	
In the hands of the Deputy Surveyors of Woods and Forests - - -	272 13 7½	
In the hands of Rangers, Wardens, Keepers and others - - - -	578 4 9	
		68,977 9 5½
	£.	556,890 15 5

Appendix, N° 25.

STATEMENT of BALANCES in the WOODS and FORESTS FUND, and in the Hands of Receivers and other Officers of His Majesty's Woods, Forests and Land Revenues, in the Year ended the 5th January 1836.

		BALANCES.	SURPLUSAGES.	NET BALANCES.
		£. s. d.	£. s. d.	£. s. d.
WOODS and Forests Fund, Bank of England		37,299 17 8		
Account with Messrs. Coutts & Co. (limited by Act of Parliament to £. 3,000)		2,341 3 3		
Woods and Forests Fund, Bank of Ireland		15,632 6 9		
Woods and Forests Fund, Royal Bank of Scotland		10,609 16 3		
		- - -	- - -	65,883 3 11
RECEIVERS OF THE LAND REVENUE.				
ENGLAND AND WALES.				
John Kirkland and William Drake White	for London and Middlesex	23 13 9		
George Driver and Edward Neale Driver	Essex, Hereford, Huntingdon, Kent, Sussex, Worcester, Oxford, Berks, Bedford, Bucks, Southampton, Wilts, Stafford, Hereford, Salop, Gloucester, Warwick and Leicester	895 13 3¾		
Henry Framingham Day	Norfolk and Suffolk	16 6 5		
Samuel Kendall	Surrey	—		
Josiah Fairbank	Derby	- - -	7 5 8½	
William Custance	Lincoln, Cambridge and Northampton	188 9 2		
Richard Hawkins	Somerset, Devon and Cornwall	100 12 11½		
John Bower	York and Nottingham	10 8 5		
William Fryer	Lancaster, Westmorland, Cumberland, Durham and Northumberland	309 18 10½		
John Wilkin	Chester, North Wales, Monmouth, South Wales	34 9 11		
John Reeves	In receipt of the Estates belonging to the late William Henry White (*vide* Report)	164 11 10		
ALDERNEY.				
John Le Ber		104 11 4		
ISLE OF MAN.				
James M'Crone		401 16 11		
		2,250 12 10¾	7 5 8½	2,243 7 2¼
DEPUTY SURVEYORS OF THE FOREST.				
Edward Jesse	Deputy Surveyor of the Parks	—		
Charles Maslin	Windsor Forest	84 11 10		
Robert Turner	New Forest and Parkhurst Forest	- - -	29 13 -½	
Edward Machin	Dean Forest and High Meadow Woods	19 18 10¾		
John Huskisson	Bere Forest	- - -	39 10 -½	
C. W. Philipps	Delamere Forest	- - -	5 18 -	
Thomas Linnell	Whittlewood Forest	14 11 9		
Ditto	Salcey Forest	5 7 5½		
Charles Maslin	Whichwood Forest	- 11 -		
Ditto	Hainault Forest	- - -	4 14 11	
Charles Furlong Wise	Alice Holt and Woolmer Forests	14 13 -½		
William Charlton	Gillingham, Meopham and Shooter's Hill Woods	212 - 9		
George S. James	Chopwell Woods	- 14 10½		
		352 9 7¼	79 16 -	272 13 7¼
RANGERS, WARDENS OF THE PARKS AND FORESTS, &c. STEWARDS OF MANORS, &c.				
Her Majesty the Queen	Steward of the Honour and Manor of Hampton Court	132 17 11½		
His Royal Highness the Duke of Sussex	Ranger of St. James's and Hyde Parks	- - -	192 12 3½	
The Viscount Sidmouth	Deputy Ranger of Richmond New Park	416 2 7		
The Right Hon. Sir William Fremantle, Bart.	Deputy Ranger of Windsor Great Park	- - -	285 8 6	
John Allen Powell, Esq.	Steward of the Manor of Richmond	507 5 -		
		1,056 5 6½	478 - 9½	578 4 9
			£.	68,977 9 5½

Office of Woods, &c.
August 19, 1836.

DUNCANNON,
B. C. STEPHENSON,
A. MILNE,

Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings.

I N D E X

TO

THIRTEENTH REPORT

OF THE

Commissioners of His Majesty's Woods, Forests, Land Revenues, &c.

A.

ABOLITION of Offices, amount of fees from abolished offices in Ireland, 40; compensations upon the abolition or regulation of offices, 41.

Account of money received and expended, See *Income and Expenditure.*

Accounts of Collectors of Crown Rents, Ireland, abstract of, to 5 January, 1836, 32, 33; elucidation of, 9.

Acts of Parliament, Acts affecting Crown property passed since last report, 8; Schedule of Acts of Parliament passed between 5 January 1835, and 5 January 1836, for the division, inclosure, drainage, improvement, and sale of lands, and for other purposes in which the interests of His Majesty are concerned, 27; sales of Crown property under Acts 10 Geo. 4. c. 50. and 2 Will. 4, c. 1, 3, 4; schedule thereof, 23—25; enfranchisement of copyholds under same Acts, 7; schedule of, 26; sale of fee-farm and other unimprovable rents in England and Wales under same Acts, 7; schedule of, 26; purchase of an estate and grants of lease under Act 7 Geo. 4. c. 77, 8; schedule thereof, 28; sale of a piece of ground under Act 1 & 2 Will. 4. c. 29; arrangement for acquiring freehold property under same Act; exchange of freehold property under same Act, 8; schedule thereof, 29; sales of perpetual unimprovable rents in Ireland under Acts 10 Geo. 4. c. 50, and 2 Will. 4. c. 1, 9; schedule thereof, 30; leases of parcels of land in Scotland granted under Act 3 & 4 Will. 4. c. 69, 9; schedule thereof, 32, 33; sums received and expended under Act 3 & 4 Will. 4. c. 43, on account of the Holyhead Roads, 9; schedule thereof, 34, 35; receipt and expenditure of New Street fund under Act 7 Geo. 4. c. 77, 38, 39; payments charged on the Land Revenue by Act 3 & 4 Will. 4. c. 86, 41; law charges and expenses incurred in soliciting and passing Acts of Parliament for the improvement of Crown estates, 41.

Aghadrislane, perpetual unimprovable rents for lands in, sold, 31.

Albans, Saint, and South Mims Trust, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4. c. 43, from 5 January 1835–1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Alderney, Isle of, amount of Rents, Tithes, Royalties, and Harbour Dues received for, 1836, 40.

Alice Holt Forest, ordinary income of, 40; ordinary expenditure of, 41.

Alienation Fines, amount of Alienation Fines received in the Isle of Man, 40.

Allowances, allowances, &c., to receivers of Land Revenue, 41; to Crown tenants for repairs, *ib.*; retired, amount paid for superanuation or retired allowances, 1835, *ib.*

Althorp Park, present by Earl Spencer of deer from Althorp Park, 10; expense of removing them to the Royal Parks, 43.

Ancient Stipends, ancient stipends and annual payments to Schools, Churches, Chapels and other foundations, 41.

Anderdon, John Lavicount, underlease granted by, to George Cornell, esquire, on the nomination of the Commissioners of Woods, Forests, &c., of ground-floor, No. 3 New Bank Buildings, London, 3, 22.

Annestowne, perpetual unimprovable rents for four yearly fairs and a weekly market at the town and and lands of, 31.

Archbishop of York and others, grant to in perpetuity of a parcel of land part of the Manor Shore estate, Yorkshire, to be appropriated as a national school, 27.

Archbishops of Glasgow, lease of tithes of lands parcel of the possessions of the late Archbishops of Glasgow, granted, 32.

Architects, Surveyors, &c., payments to, on account of their bills for journies, surveys, plans and other professional services both in and out of London, 41.

Armagh, County, perpetual unimprovable rents for lands of, sold, 30.

Assignments, repayment of monies advanced for fees on dockets of assignments of Crown leases, 40.

Athea, perpetual unimprovable rents for lands in, sold, 31.

Athy, perpetual unimprovable rents for the late preaching house at Athy, sold, 31.

Aubrey, Thomas, certain encroachments from the common wastes within the lordship or Manor of Southugre in the County of Radnor, sold to, 25.

Auction, public, extent of property sold by, to 5 January 1836, and amount of purchase-money, 3; schedule of, 23.

Auditors' Fees, repayment of monies advanced for Auditors' fees, 1836, 40.

Auditors of Land Revenue, payments to the late and acting auditors of, 41.

Aungier, Lord, perpetual unimprovable rents for several tenements, or void spaces of ground, fronting St. Stephen's Street, Dublin, between the Lord Aungier's house and the churchyard, sold, 30.

Austin, George, freehold property in Tavistock Street and York Street, Covent Garden, conveyed to the Crown, subject to lease to him, 29.

Balances,

B.

Balances, balances of the account being the Woods and Forests' Fund at the Bank of, England, standing in the names of the Commissioners of Woods, &c., on 5 January 1835, 40; on 5 January 1836, 43; at the Bank of Ireland, on 5 January 1835, 40; on 5 January 1836, 43; at the Royal Bank of Scotland, on 5 January 1835, 40; on 5 January 1836, 43; in the hands of Receivers in England and Wales, on 5 January 1835, 40; on 5 January 1836, 43; in the hands of Deputy Surveyors, on 5 January 1835, 40; on 5 January 1836, 43; in the hands of Rangers, Wardens, Keepers, and others, on 5 January 1835, 40; on 5 January 1836, 43; amount of balances, being the Woods and Forests' Fund at the Bank of England, standing in the names of the Commissioners of Woods, &c., on 5 January 1835, 40; on 5 January 1836, 43; statement of balances in the Woods and Forests' Fund, and in the hands of Receivers and other officers of His Majesty's Woods, and Forests, and Land Revenues, in the year ended 5 January 1836, 44.

Ballinecor Barony, perpetual unimprovable rents for lands in, sold, 31.

Ballybeg, perpetual unimprovable rents for lands in, sold, 31.

Ballybought Bridge, perpetual unimprovable rents for six acres of land in Oxmantowne, adjoining to the highway leading to the Ballybought Bridge, sold, 31.

Ballyboy, perpetual unimprovable rents for lands in, sold, 31.

Ballycrine, perpetual unimprovable rents for lands of, sold, 31.

Ballycryerry, perpetual unimprovable rents for lands of, sold, 31.

Ballygobnett, perpetual unimprovable rents for lands in, sold, 30.

Ballyknockane, perpetual unimprovable rents for lands in, sold, 30.

Ballyknynerry, perpetual unimprovable rents for lands of, sold, 31.

Ballylosky, perpetual unimprovable rents for lands in, sold, 30.

Ballynakill, perpetual unimprovable rents for lands in, sold, 31.

Ballynegrecough, perpetual unimprovable rents for lands in, sold, 31.

Ballyrobert, perpetual unimprovable rents for lands in, sold, 30.

Ballyshanterriffe, perpetual unimprovable rents for lands of, sold, 31.

Bangor Ferry, Act to amend and alter an Act of the 59 Geo. 3, for vesting in Commissioners the line of road from Shrewsbury, in the County of Salop, to Bangor Ferry, in the County Carnarvon; and for discharging the trustees under several Acts of the 17°, 28°, 36°, 41°, 42°, 47°, and 50° Geo. 3. from the future repair and maintainance thereof; and for repealing so much of the said Acts as affects the said line of road, 27.

Bank Buildings, underlease of ground floor and appurtenances, No. 3, New Bank Buildings, London, granted to the Commissioners of Woods, &c. 3, 22.

Bank of England, power by, to determine underlease of ground floor, No. 3, New Bank Buildings, 22; balances of the account, being the Woods and Forests' Fund, at the Bank of England, on 5 January 1835, 40; on 5 January 1836, 43.

Bank of Ireland, balances of the Account being the Woods and Forests' Fund at the Bank of Ireland, on 5 January 1835, 40; on 5 January 1836, 43.

Bank of Scotland, balances of the account, being the Woods and Forests' Fund, at the Royal Bank of Scotland, on 5 January 1835, 40; on 5 January 1836, 43.

Bannocks, perpetual unimprovable rents for lands in, sold, 31.

Barnes, John, the manor of Stapleford Abbotts, Essex, sold to, 23.

Barnes, Richard, certain land part of Teddington Farm, Warwick, sold to, 23.

Barrimore Barony, perpetual unimprovable rents for lands in, sold, 30.

Barron, Charles, lease of two plots of ground and messuages on the north side of Pall Mall, granted, 14.

Bayswater Sewer, particulars as to the completion of this sewer; expenses to the Woods and Forests' department, 8.

Bedford, the Most Noble John, Duke of, exchanges of deer made with him in the last few years, 10; arrangement between him and the Commissioners of Woods, Forests, &c., for acquiring freehold premises, Nos. 1, Tavistock Street and 9 and 10, York Street, Covent Garden, required for the purposes of Act 1 & 2 Will. 4, c. 29, 29.

Bere Forest, ordinary income of, 40; ordinary expenditure of, 41.

Bell Alley, Great Coleman Street, London, fee-farm rents for messuages, &c. in Great Bell Alley, Coleman Street, London, sold to the mayor, commonalty and citizens of London, 26.

Bernard, John, lease of a plot of ground and messuage in Church Passage, Piccadilly, granted on his nomination, 16; lease of a plot of ground messuage, in Church Passage, Piccadilly, granted to, 16.

Bilston Trust, account of sums expended and received by the commissioners under the Act 3 & 4 Will. 4, c. 43, from January 1835–1836, 34, 35; account of sums advanced out of the Consolidated Fund, for the improvement of the trust, 36, 37.

Bird, Stephen, piece of ground at the north-east corner of York Street and the new street from the Strand to Charles Street, Covent Garden, sold to, 29.

Bishop of Clogher. See *Clogher*.

Blackditch, perpetual unimprovable rents for property called Blackditch, sold, 30.

Blythswood, lease of tithes of certain lands in, granted, 9, 32; date and particulars of last lease, 9, 33.

Bound, Bryan, certain encroachments from the common wastes within the lordship or manor of Southugre, in the county of Radnor, sold to, 25.

Bounties. See *Crown Estates. Rates.*

Bourke, John, perpetual unimprovable rents for lands of, sold, 31.

Bow Street, exchange of ground on the west side of Bow Street, Long Acre, for ground on the west side of Bow Street and the north side of Hart Street, including the back premises, No. 45, Hart Street, 29.

Boyle, Barony, perpetual unimprovable rents for lands in, sold, 31.

Brennan, Robert, perpetual unimprovable rents sold to, 30.

Bridges, Act for making and maintaining a bridge over the river called "the Portland Ferry," in the county of Dorset, 27.

Brine, Thomas, parcel of ground in the Isle of Man sold to, 23.

Broderick, Michael, lease of a plot of ground on the north side of Jermyn Street, with a messuage thereon, granted to, 18.

Bromfield and Yale Manor, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold, 24, 25.

Brooke and Warwick, the Right honourable Henry Richard, earl of, lease of a plot of ground, stable, offices and buildings on the south side of a mews formed on part of the site of Carlton Palace, granted to, 18.

Browne, Edward, perpetual unimprovable rents for lands of, sold, 31.

Browne, the Right honourable Dominick, perpetual unimprovable rents, sold to, 31.

Brundish Parish, Suffolk, leases of Chauntrey farm and St. Edmund's farm in this parish, granted, 20.

Buccleugh and Queensberry, the Most noble Walter Francis, duke of, lease of a piece of ground on the south side of Pall Mall, with a messuage thereon, intended for the Carlton Club-house, granted to, 16.

Buildings. See *Public Works.*

Burgh, the Very rev. Thomas John, perpetual unimprovable rents in the barony of Naas, sold to, 30.

Bury Street, St. James's, leases of two pieces of ground on the west side of Bury Street, with messuages thereon, Nos. 26 and 27, granted, 18; lease of a plot of ground and messuage on the west side of Painter's Court in Bury Street, granted, *ib.*; land tax redeemed on certain messuages on the west side of, 27.

Bushy Park, part of the deer presented to His Majesty by Earl Spencer, sent to Bushy Park, 10; ordinary income of, 1836, 40; ordinary expenditure, 41.

Button, Dorothy Lucy, lease of St. Edmund's Farm, Suffolk, granted to, 20.

Button, Samuel, lease of St. Edmund's Farm, Suffolk, granted to, 20.

C.

Cadogan, The Right Honorable George, Earl, leases of two plots of ground, with a messuage, &c., thereon, Nos. 26 and 27, on the West side of Bury Street, St. James's, granted to, 18.

Campbell, Archibald, lease of tithes of certain lands in the Barony parish of Glasgow and sheriffdom of Lanark, being the unfeued portion of lands, the property of Archibald Campbell, esq., of Blythswood, granted to him, 32.

Campbell, Capt., John, date and particulars of lease to him of tithes in the Barony parish of Glasgow, 33.

Cambridgeshire, lease of certain premises in, granted, 14.

Cardiganshire, An allotment of land awarded to the Crown therein sold, 24.

Carlton Club House, lease of a piece of ground on the South side of Pall Mall, with a messuage thereon, intended for the Carlton Club-house, granted, 16.

Carlton Palace, lease of a plot of ground on the south side of a mews or stable-yard, formed on part of the site of Carlton Palace, with sundry stable-offices, and other buildings thereon, granted, 18.

Carmarthen, fee-farm rents for lands called Glyn-y-Marle therein, sold, 26.

Carnarvonshire, lease of paving-stone on Penmaenmawr mountain, granted, 14; lease of the sea beach from Penmaenrhos to Little Ormes Head, granted, *ib.*

Carne, perpetual unimprovable rents for lands of, sold, 31.

Carpenter, George, certain copyhold premises held of the manor of Lyndhurst, in the county of Southampton, enfranchised to, 26.

Carr, Sir George, Knight, perpetual unimprovable rents for lands of, sold, 30.

Castle Hill, Windsor, freehold messuage or dwelling-house, situated on the South side of the Castle Hill at Windsor, formerly in the occupation of Mr. M'Bean, and now of Francis Miles Milman, esq., purchased, 8, 28.

Castletown, parcel of land called the Mill Field, at Castletown, Isle of Man, sold, 23.

Castletowne, perpetual unimprovable rents for lands in, sold, 30.

Casual Revenue, produce of casual revenue not included in the receivers' accounts, 1836, 40.

Cavell, James, certain pieces of waste land in the New Forest, sold to, 25.

Cefn Cam, slate quarry, lease of the Cefn Cam slate quarry and other property in Merioneth, granted, 14.

Chadwicke, Richard Michael, lease of lead-mines in Yorkshire, granted to, 20.

Chandos Street, lease of a plot of ground on the East side of St. Martin's Place, and South side of Chandos Street, with a messuage, shops, and buildings thereon, granted under the authority of Act 7 Geo. 4. c. 77, 28.

Chapels, ancient stipends and annual payments to chapels, &c., 41.

Charing Cross and Strand Improvements, purchase of a leasehold house in the Strand, under Act 7 Geo. 4, c. 77. 8. 28; leases granted same Act, *ib.*

Charles Street, Covent Garden, piece of ground at the north-east corner of York Street, and the new street from the Strand to Charles Street, Covent Garden, sold under the authority of Act 1 & 2 Will. 4. c. 29, 29.

Charnock, Stephen, perpetual unimprovable rents for lands of, sold, 30.

Chauntry Farm, lease of Chauntry farm, in the parishes of Boundish and Tannington, granted, 28.

Chelsea, the Right hon. Henry Charles Viscount, leases of two plots of ground with messuages, &c., thereon, Nos. 26 & 27 on the west side of Bury Street, St. James's, granted to, 18.

Chopwell Woods, ordinary income of, 40; ordinary expenditure, 41.

Church Passage, Piccadilly, leases of plots of ground with messuages thereon, being the third and second houses on the east side of Church Passage, southward from Piccadilly, and the fourth and fifth houses northward from Jermyn Street, granted, 16; lease of a plot of ground, with messuage thereon, being the second house on the east side of Church Passage northward from Jermyn Street, and the fifth house southward from Piccadilly, granted, *ib.*; lease of a plot of ground with a messuage thereon, being the corner house of the south side of Piccadilly, and east side of Church Passage, granted, *ib.*; lease of a plot of ground and messuage, being the third house on the east side of Church Passage northward from Jermyn Street, and the corner house of the east side of Church Passage and north side of Jermyn Street, granted, *ib.*

Churches; ancient stipends and annual payments to churches, &c., 41.

City of Dublin, perpetual unimprovable rents for lands in, sold, 30, 31.

City of Limerick, perpetual unimprovable rents for lands in, sold, 30.

City of London, fee-farm rents for messuages, &c., in Great Bell Alley, Coleman Street, sold, 26.

Civil List; Civil List arrangements with regard to sums borrowed of the Consolidated Fund for Metropolis Improvements, 10; receipts an account of monies voted by Parliament for repairs &c., of public buildings, heretofore charged on the Civil List, 42.

Clergy, sons of, corporation of, certain encroachments from the common wastes within the lordship or manor of Southugre, in the county of Radnor, sold to, 25.

Clive, Edward Bolton, lease of ground and coach-houses, &c. in Great Ryder Strret, granted to, 16.

Clogher, late Lord Bishop of, trustees of his charities; perpetual unimprovable rents, sold to, 30.

Cloghitaney, perpetual unimprovable rents for lands in, sold, 30.

Clonlonan, barony, perpetual unimprovable rents for lands in, sold, 31.

Clough, Richard B. and others; lease of the sea beach from Penmaenrhos to Little Ormes Head, granted to, 14.

Cockspur Street, lease of a plot of ground at the corner of Cockspur Street and Pall Mall, with the messuage No. 13 in Cockspur Street, thereon, granted under the authority of Act 7 Geo. 4, c. 77. 28.

Cogden, lease of mines and veins of lead ore in the territory of Cogden, granted, 20.

Cole, Sir John, perpetual unimprovable rents for lands of, sold, 31.

Cole, William, fee-farm rents for lands in Fencott, Oxford, sold to, 26.

Coleman Street, London, fee-farm rents for messuages, &c. in Great Bell Alley, Coleman Street, London, sold to the mayor, commonalty and citizens of London, 26.

Collection of Land Revenue, salaries, allowances, &c. to persons employed in the collection of Land Revenue, 41.

Collectors of Crown Rents, Ireland; abstract of the accounts of the collectors of the rents payable to the Crown in Ireland for the year ending 5 January 1836, 32–33; elucidation thereof, 9.

Commissioners for licensing Hackney Coaches, lease of premises of No. 23 Essex Street, Strand, formerly in the occupation of the Hackney Coach Commissioners, granted to the Commissioners of Woods, Forests, &c., 3, 22; lease of same premises granted to Messrs. Egan, Waterman and Wright, 18.

Commissioners for the Loan of Exchequer Bills; accounts of loans advanced by the commissioners for the issue of Exchequer Bills for public works and employment of the poor to the different trusts on the line of road between London and Shrewsbury; showing dates of issue, amount of loans, repayment of principal and interest, principal and interest unpaid, &c. 9. 36, 37; amount of repayment during last year, upon loans from, and amount now due, 10, 43.

Commissioners of Stamp Duties, underlease of premises in New Bank Buildings, granted for the sale of stamps on sea policies under the direction of the Commissioners of Stamp Duties, 3, 22.

Commissioners of Woods, Forests, Land Revenues, Works and Buildings, their Thirteenth Report and Seventh Annual Report, 3–11; appendix to the same, 12–44; underlease of ground floor, No. 3 New Bank Buildings, granted to, 3–22; lease of No. 23 Essex Street, Strand, granted to, *ib.*; sales by auction by them, under sanction of the Treasury, of Stapleford Manor, Essex, and Teddington farm, Warwick, 4; schedule thereof, 23; arrangements made by them with the like sanction, for the sale of Newark Manor, Nottingham, Twickenham Manor, Middlesex, and Little Saint John's Wood Estate, Middlesex, 4, 5; their statement relative to legal proceedings and other particulars concerning land revenue in Wales, 5–7; arrangement between them and the Duke of Bedford, for acquiring freehold premises in Tavistock Street, and York Street, Covent Garden, for the purposes of Act 1 & 2 Will. 4. c. 29, 8. 29.

Common Wastes, encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold, 24; certain encroachments from the common waste within the lordships or manors of Southugre, Knighton and Knucklas in the county of Radnor, sold, 25.

Compensations upon the abolition or regulation of office, 41.

Composition Rents, amount received for composition rents in Ireland, 1836, 40.

Compositions, amount received for compositions in Scotland, 40.

Connelloe Barony, perpetual unimprovable rents for lands in, sold, 31.

Consolidated Fund, account up to the 5th January 1836 of the sums advanced out of the Consolidated Fund for the improvement of the road from London to Shrewsbury, showing payments of principal and interest, balance remaining, amount due for interest and estimated amount of tolls applicable to payment of balance, 9, 36, 37; sums borrowed out of, for the Metropolis Improvements, and Civil List arrangements relative thereto, 10.

Conveyances, charges received on the preparation of Crown leases and conveyances, 1836, 40; amount paid for engrossing conveyances and Crown leases prepared in the office, 41.

Conway Bridge, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34, 35.

Conway, the Lord, perpetual unimprovable rents for lanes of sold, 30, 31.

Cookestowne, perpetual unimprovable rents for land in, sold, 31.

Cooper, Edmund and George, lease of the manor and demesne land of East Dereham, Norfolk, granted to, 20.

Copyholds, enfranchised under 10 Geo. 4, c. 50, and 2 Will. 4, c. 1, 7; amount of quit rents payable for, *ib.*; amount of purchase money, *ib.*; schedule thereof, 26; amount carried to the Woods and Forests' Fund, *ib.*

Corbally, perpetual unimprovable rents for lands in, sold, 30, 31.

Cork, perpetual unimprovable rents for lands in, sold, 30, 31.

Cork and Kerry Counties, further payments on account of expense for opening an improved line of communication between the counties of Cork and Kerry, 43.

Cornell, John, Esq., underlease granted to, on the nomination of the Commissioners of Woods, Forests, &c., of ground floor, No. 3, New Bank Buildings, London, 22; lease granted to, on the same nomination, of messuage and premises, No. 23, Essex Street, Strand, *ib.*

Corporation of London, fee farm rents for messuages, &c., in Great Bell Alley, Coleman Street, London, sold to the mayor, commonalty and citizens of London, 26.

Corporation of the Sons of the Clergy, certain encroachments from the common wastes in the lordship or manor of Southugre, in the county of Radnor, sold, 25.

Coursey, Barony, perpetual unimprovable rents for lands in, sold, 31.

Court, Old, perpetual unimprovable rents for lands of, sold, 31.

Covent Garden, piece of ground at the north-east corner of York Street and the new street from the Strand to Charles Street, Covent Garden, sold, under authority of Act 1 & 2 Will. 4, c. 29, 29; arrangement between the Commissioners of Woods and the Duke of Bedford for acquiring freehold premises, Nos. 1, Tavistock Street, and 9 & 10, York Street, *ib.*

Cowcaddens, Meikle, lease of tithes of certain lands in granted, 9, 32; date and particulars of last lease, 33.

Cox and Hammersley, Messrs., amount paid to them in discharge of their mortgage on York House, 43.

Cradockstowne, perpetual unimprovable rents arising out of the tithes of, sold, 30.

Crampern, John Callis, lease of plots of ground and messuages in Wells Street, St. James's, granted on his nomination, 18.

Cranastowne, unimprovable rents for lands in, sold, 31.

Crown Allotments, lease of Crown allotment set out, under Act for embanking Nene Outfall, granted, 14; lease of allotments in Llandwyw and Llanelltydd parishes, Merioneth, granted, 14; allotment of land awarded to the Crown under Act for inclosing land in the parish of Llawrysted, Cardigan, sold, 24; Windsor Forest, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Crown Escheats, certain property in Newmarket escheated to the Crown, 15.

Crown Estates, amount paid for repairs and improvements of, 41; bounties in aid of improvements, *ib.*

Crown Lands, sales of, to 5 January 1835, under 10 Geo. 4, c. 50, and 2 Will. 4, c. 1; 3, 4; amount of purchase-money paid for same, 3; extent of property sold by public auction, and amount produced, *ib.*; extent of property sold by private contract, and amount produced,

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produced, 3, 4; annual value of such as had been before on lease, *ib.*; particulars as to sale of Stapleford Manor, Essex, and Teddingdon Farm, Warwick, 4; arrangements made for the sale of Newark Manor, Nottingham; Twickenham Manor, Middlesex, and Little Saint John's Wood estate, Middlesex, 4, 5; Particulars relative to proceedings taken with respect to the Land Revenue of the Crown in Wales, 5; copyholds enfranchised to 5 January 1836, 1837; sale of fee farm rents to 5 January 1836, *ib.*; grant in perpetuity of the Manor Shore estates in the city of York, *ib.*; schedule thereof, 27; Acts passed affecting Crown property to 5 January 1836, 8; purchase of leasehold estate under Act 7 Geo. 4, c. 77, *ib.*; schedule thereof, 28; sales, acquiring arrangements to property, and exchange of property under Act 1 & 2 Will. 4, c. 29, *ib.*; schedule thereof, 29; schedule of all manors, buildings, lands and other hereditaments belonging to the Crown sold between 5 January 1835 and 5 January 1836 by virtue of Acts 10 Geo. IV. c. 50, and 2 Will. 4, c. 1, showing the dates of the conveyances thereof respectively, the premises comprised therein, the names of the purchasers, the terms unexpired of the subsisting leases at the time of the sales, and the purchase-money paid for the premises; and also showing the annual value of such parts of the premises as had been held under lease by the last preceding surveys or other accounts, and the rents reserved and fines paid for the last subsisting leases thereof, 23–25; schedule of copyhold or customary premises, parcel of or holden of manors belonging to the Crown which have been enfranchised between 5 January 1835 and 5 January 1836 under 10 Geo. 4. c. 50, and 2 Will. 4. c. 1, showing the dates of the respective enfranchisements, names of the enfranchees, copyhold or customary premises enfranchised, the quit rents issuing thereout, and the consideration-money paid for the enfranchisements, 26; schedule of fee farm and other unimprovable rents in England and Wales which have been sold under authority of same Acts, between 5 January 1835, and 5 January 1836, and the amount of purchase-money paid for same, *ib.*; schedule of Acts of Parliament passed between 5 January 1835 and 5 January 1836, for the division, inclosure, drainage, improvement and sale of lands, and for other purposes in which the interests of His Majesty are concerned, 27.

Crown Leases granted between 5 January 1835 and 5 January 1836, estimated annual value when leases were granted, clear yearly rents reserved by new leases (including rents reserved in lieu of redeemed land-tax), fines paid for new leases, annual value of such property as had been before in lease, annual value when last leases were granted, rents reserved and fines paid, 3; schedule of all leases of messuages or tenements and hereditaments belonging to the Crown, granted between 5 January 1835 and 5 January 1836; showing the dates of the leases, the premises comprised therein, the names of the lessees, the terms granted, the annual value of the premises as estimated or returned on oath by the surveyors employed to survey the same, the rents reserved, the fines paid, the insurances to be made against fire, and upon what other considerations such leases respectively have been granted; and showing also the annual value of such parts of the premises as had been before in lease by the last preceding surveys or other accounts, and the rents reserved and fines paid for the preceding leases, 14–21; charges received on the preparation of Crown leases and conveyances 1836, 40; repayment of monies advanced for fees on dockets of assignment of Crown leases, *ib.*; amount paid for engrossing Crown leases prepared in the office, 41.

See also *Under Leases.*

Crown Rents, Ireland, abstract of the accounts of the collectors of the rents payable to the Crown in Ireland, for the year ending 5 January 1836, 32, 33; elucidation thereof, 9; amount received for Crown Rents in Ireland, 1836, 40; in Scotland, *ib.*

Crown and Sceptre Court, St. James's, land-tax redeemed on certain premises at the east end of, 27.

Crown Tenants, allowances to Crown tenants for repairs, 41.

Crown Wastes, lease of paving stone, &c., within part of the Crown waste on Penmaenmawr Mountain, granted, 14.

Cullum, William, lease of a plot of ground at the corner of Cockspur Street and Pall Mall, with the messuage, No. 13 in Cockspur Street, thereon, granted, 28.

Curraghstowne, perpetual unimprovable rents for lands in, granted, 31.

D.

Davies, John, certain encroachments from the common wastes in the lordship or manor of Southugre, in the county of Radnor, sold, 25.

Davies, William Henry, lease of premises in Tavistock Street and York Street, Covent Garden, purchased of him, 29.

Dean Forest, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Decies Barony, perpetual unimprovable rents for lands in, sold, 31.

Deece Barony, perpetual unimprovable rents for lands in, sold, 30, 31.

Deer, expense of removing and distributing to the Royal Parks, &c., a herd of deer presented by Lord Spencer to His Majesty, 10, 43.

Delamere Forest, ordinary income of, 40; ordinary expenditure of, 41.

Denbighshire, lease of the sea beach from Penmaenrhos to Little Ormes Head, granted, 14; certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, sold, 24, 25.

Deputy Surveyors of Woods and Forests, balances in the hands of Deputy Surveyors of Woods and Forests, on 5 January 1835, 40; on 5 January 1836, 43.

Dereham, East, lease of the manor and demesne land of, granted, 20.

Derryknockane, perpetual unimprovable rents for lands in, sold, 30.

Dibden Parish, His Majesty's interest in Mudland in the Southampton river, in the parish of Dibden, sold, 25.

Division of Lands, Acts passed for the division of lands in which the Crown's interests are concerned to 5 January 1836, 8, 27.

Dockets, repayment of monies advanced for fees on dockets of assignments of Crown leases, 40.

Donegal County, perpetual unimprovable rents for lands in, sold, 30.

Donkell, perpetual unimprovable rents for lands in, sold, 31.

Donovan, Jeremy, perpetual unimprovable rents for lands of, sold, 31.

Dorset, Act for making and maintaining a Bridge over the River, called "The Portland Ferry" in the county of Dorset, with proper approaches thereto, 27.

Drainage, the herbage in the Parks improving from the effects of drainage, 10.

Drainage of Lands, Acts passed for the drainage of lands in which the Crown's interests are concerned to 5 January 1836, 8, 27.

Drake, George, lease of mines of lead ore, in Yorkshire, granted to 20.

Drumcannon, perpetual unimprovable rents for lands in, sold, 31.

Dublin City, perpetual unimprovable rents for lands in, sold, 30, 31.

Dublin,

Dublin, County, perpetual unimprovable rents for lands in, sold, 30, 31.

Dublin, Phœnix Park, ordinary income of, 1836, 40, ordinary expenditure of, 41; payments on account of improvements commenced by the Commissioners of Woods, &c., in Phœnix Park, Dublin, 43.

Dublin and Howth Road, account of sums received and expended by the Commissioners under the Act, 3 & 4 Will. 4, c. 43, from 5 January 1835, 1836, 34, 35.

Duke of Bedford. See *Bedford*.

Duke of Buccleugh and Queensberry. See *Buccleugh and Queensberry*.

Duke of Newcastle. See *Newcastle*, Duke of.

Duke Street, St. James's, land tax redeemed on the corner house of the north side of Jermyn-street, and west side of Duke-street, and the house next northward thereto on the west side of Duke-street, St. James's, 27.

Dunchurch and Stonebridge Trust, account of sums received and expended by Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills; principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Dunchurch and Stratford Trust, account of sums expended by the Commissioners under the Act 3 & 4 Will. 4, c. 33, from 5 January 1835–1836, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills; principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, *ib.*

Dundonald, The Right Honourable Thomas Earl of, Lease of Ground and Buildings in the Regent's Park, granted to, 20.

E.

Earl Brooke. See *Brooke and Warwick*.

Earl Cadogan. See *Cadogan*.

Earl of Dundonald. See *Dundonald*.

Earl of Lincoln. See *Lincoln*.

Earl Spencer. See *Spencer*.

Earl of Verulam. See *Verulam*.

Earl of Warwick. See *Brooke and Warwick*.

East Dereham, lease of the manor and demesne land of, granted, 20.

Easthorpe, William, certain encroachments from the common wastes within the lordship or manor of Knucklas, in the county of Radnor, sold to, 25.

Edmunds, St. Farm, Suffolk, lease of this farm granted, 20.

Edwards, Simon, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Egan, John, lease of a messuage, No. 23 Essex Street, Strand, granted to, 18, 22.

Ellis, Joseph, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Encroachments, encroachments from common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold, 24, 25.; certain encroachments from the common waste within the lordships or manors of Southugre, Knighton and Knucklas, in the county of Radnor, sold, 25.

Enfranchisement, of copyholds under 10 Geo. 4, c. 50, and 2 Will. 4. c. 1. 7; amount of quit rents payable for, *ib.*; amount of purchase-money, *ib.*; schedule thereof, 26; amount carried to the Woods and Forests' Fund, *ib.*

Engrossing Conveyances, &c., amount paid for engrossing conveyances and Crown leases prepared in the office, 41.

Episcopacy, Scotland, lease of tithes of certain lands parcel of the possessions of the late Archbishops of Glasgow, but now the property of His Majesty by the abolition of episcopacy in Scotland, granted, 32.

Equitable Assurance Company, interest paid upon sum advanced by, 10, 43.

Escheats, certain premises in Newmarket escheated to the Crown, 15.

Essex, County of, certain lands belonging to the Crown in, sold, 4, 23.

Essex Street, Strand, lease of a messuage No. 23 Essex Street, Strand, granted, 18.; lease of No. 23 Essex Street, Strand, granted to the Commissioners of Woods and Forests, 3, 22.

Establishment of Woods and Forests, expenses of; in London, 41; in Dublin, *ib.*

Evellin, George and Elizabeth, perpetual unimprovable rents for lands of, sold, 30.

Exchange, particulars as to exchange effected under Act 1 & 2 Will. 4. c. 8, 29.

Exchequer, sums paid into the Exchequer on account of Holyhead and Howth harbour and roads, 43; on account of the revenues of the principality of Scotland, in addition to sum paid in last year, *ib.*

Exchequer Bills. See Commissioners for the Loan of Exchequer Bills.

F.

Fagg, Sir John, Bart., perpetual unimprovable rents for lands of, sold, 31.

Fairs, perpetual unimprovable rents for four yearly fairs at the town and lands of Kilcomragh and Annestowne, sold, 31.

Fannieren, perpetual unimprovable rents for lands of, sold, 31.

Fawley parish, His Majesty's interest in Mudland in the Southampton River, in the parish of Fawley, sold, 25.

Fee Farm Rents in England and Wales, sales under Acts 10 Geo. 4. c. 50, and 2 Will. 4. c. 1, from 5 January 1835 to 5 January 1836, 7; purchase-money, *ib.*; an account of all fee farm and other unimprovable rents in England and Wales, which have been sold between 5 January 1835 and January 1836, and the purchase-money paid for the same, 26; produce of in England and Wales, 1836, 40.

Fees, repayment of monies advanced for Auditors' fees and fees on dockets of assignments of Crown leases, 40; amount of fees from abolished offices in Ireland, *ib.*

Fees, Parliamentary, Treasury and Record, amount paid for, 1836, 41.

Fencott, fee farm rents for land in Fencott, Oxford, sold 26.

Finch, the Honourable Daniel, lease of ground, messuages and buildings in the Regents Park, granted to, 20.

Fines, produce of fines in England and Wales, 1836, 40; in Scotland, *ib.*

Fitch, John, lease of a plot of ground with messuage in Church Passage, Piccadilly, granted to, 16.

Flint, George and others, a freehold messuage or dwelling-house situated on the south side of the Castle Hill at Windsor, formerly in the occupation of Mr. M'Bean, and now of Francis Miles Milman, esquire, purchased, 28.

Fordestowne, perpetual unimprovable rents for lands in, granted, 31.

Forests, statement as to income and expenditure, 10; schedule thereof, 40, 41.

Foundations, annual payments to schools, churches and other foundations, &c., 41.

Foxteeth, William, perpetual unimprovable rents for lands of, sold, 30.

Foxtell, William, perpetual unimprovable rents for lands of, sold, 30.

Freeholds, arrangement for acquiring certain freehold property under the powers of Act 1 & 2 Will. 4, c. 29, 8, 29.

Fuel Rights, claims of purchasers to fuel wood from the New Forest, extinguished under enfranchisement of copyholds, 7, 26; number of loads of fuel wood now annually to be provided for, 7.

Fuller, William, lease of a plot of ground on the north side of Jermyn Street, with a messuage thereon, granted to, 18.

Furniture, receipts and payments on account of sums voted by Parliament for furniture for public departments, 42, 43; produce of the sale of furniture in store, 42.

G.

Gabert, Christopher, lease of a plot of ground with messuage, No. 13 Cockspur Street, granted on his nomination, 28.

Gappon and Ray, Messrs., period of their lease in certain premises in Twickenham, 4.

Garden, Robert Theophilus, lease of lead mines in Yorkshire, granted to, 20.

Gardner, Anne, perpetual unimprovable rents for Wilson's Fort, sold to, 30.

Garrane, perpetual unimprovable rents for lands in, sold, 30.

Garrause, perpetual unimprovable rents for lands in, sold, 31.

Garreglwydd Quarries, lease of paving stone, &c., in, granted, 14.

Gibbs, Dixon, lease of a plot of ground at the corner of Cockspur Street and Pall Mall, with the messuage No. 13 in Cockspur Street thereon, granted on his nomination, 28.

Gillingham Woods, ordinary income of, 40; ordinary expenditure, 41.

Gittens, Sarah, widow, certain encroachments from the common wastes, within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Glasgow, Archbishop of, lease of tithes of lands, parcel of the possessions of the late Archbishop of Glasgow, granted, 32.

Glasgow, barony parish, lease of tithes of certain parcels of lands in, granted, 9. 32.

Gloster, George, perpetual unimprovable rents for lands sold to, 30.

Glyn-y-Marle, fee farm rents for lands called Glyn-y-Marle, in the county of Carmarthen, sold, 26.

Goding, James, lease of three plots of grounds and messuages in Piccadilly and Church passage, granted to, 16.

Gooch, Thomas, lease of Chantry farm, Suffolk, granted to, 20.

Goold, Thomas, perpetual unimprovable rents for lands, sold to, 31.

Gortmungagh, perpetual unimprovable rents for lands in, sold, 30.

Governor's Garden, parcel of land called the Governor's Garden, in the Isle of Man, sold, 23.

Grant in Perpetuity, particulars relative to the grant in perpetuity of the Manor Shore estate in the city of York, 7, 27.

Great Bell Alley, Coleman Street, London, fee farm rents for messuages, &c., in Great Bell Alley, Coleman Street, London, sold to the mayor, commonalty, and citizens of London, 26.

Great Ryder Street, St. James's, lease of a plot of ground, with coach-houses, stabling, &c. thereon, on the south side of Great Ryder Street, granted, 16.

Great Scotland Yard, land-tax redeemed on a piece of vacant ground on the north side of Great Scotland Yard, 27.

Green, John, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Greenwich Park, ordinary income of, 1836, 40; ordinary expenditure, 41.

Griffiths, Edward, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Griffiths, Henry, certain encroachments from the common waste within the lordship or manor of Knighton, in the county of Radnor, sold to, 25.

Griffiths, Joseph, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Griffiths, Mary, widow, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Griffiths, Samuel, certain encroachments from the common wastes within the lordship or manor of Bromfield, and Yale, in the county of Denbigh, sold to, 25.

Griffiths, Thomas, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Grinton, lease of mines and veins of lead ore in the territory of Grinton, York, granted, 20.

H.

Hackney Coach Commissioners, lease of No. 23, Essex Street, Strand, formerly in the occupation of the Hackney Coach Commissioners, granted to the Commissioners of Woods, Forest, &c., 3, 22; lease of same premises granted to Messrs. Egan, Waterman, and Wright, 18.

Hainault Forest, ordinary income of, 40; ordinary expenditure of, 41.

Hallmarke, Joseph, exchange by the Crown of ground on the West side of Bow Street, Long Acre, with stables, workshops, and buildings thereon, and 500 *l.* for equalizing the exchange with Joseph Hallmarke, for ground on the west side of Bow Street, and north side of Hart Street, including the back premises No. 45, Hart Street, 29.

Hamilton, Sir Hans, perpetual unimprovable rents for lands of, sold, 30.

Hampton Court Gardens, ordinary income of, 1836, 40; ordinary expenditure, 41.

Hampton Court Park, ordinary income of, 1836, 40; ordinary expenditure, 41.

Harbour Dues, amount of harbour dues received in the Isle of Alderney, 40.

Harkaside, lease of mines and veins of lead ore in the territory of Harkaside, York, granted, 20.

Harper, George, lease of a plot of ground and messuage in Church Passage, Piccadilly, granted to, 16.

Hart Street, exchange of ground on the west side of Bow Street, Long Acre, for ground on the west side of Bow Street and north side of Hart Street, including the back premises of No. 45, Hart Street, 29.

Hartley, Robert, certain encroachments from the common wastes, with dwelling-house and buildings, within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Harvey,

Harvey George Daniel, leasehold premises, No. 474, Strand, purchased for the purposes of Act 7 Geo. 4, c. 77, 28.

Haughley, fee-farm rents for lands in Haughley, Suffolk, sold, 26.

Hay, Charles Allen, perpetual unimprovable rents sold to, 30.

Haymarket, land tax redeemed on the Lemon Tree public house and stable-yard, situated at the north end of the west side of the Haymarket, 27.

Hemming, William, certain land, part of Teddington Farm, Warwick, sold to, 23.

Herbage, the herbage in the parks improving from the effects of drainage, 13.

Hereditary Revenue, arrangement relative to the hereditary revenue in certain lighthouses, ceasing on and after 1st January 1837, 11.

Hereditary Land Revenues, Act to amend the Acts relating to the heredidary land revenues of the Crown in Scotland, 27.

Hereditary Revenue, Scotland, sums received for repairs of public buildings in Scotland, heretofore charged on the hereditary revenue of Scotland, 42.

Higgins, Bryan, perpetual unimprovable rents for lands of, sold, 31.

Higgins, Edward T., certain land, part of Teddington estate, Warwick, sold to, 23.

Highgate Archway Companies' Trust, account of sums expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 35; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

High Meadow Woods, ordinary income of, 40; ordinary expenditure of, 41.

Hinves, Nathaniel, certain copyhold premises held of the manor of Lyndhurst, in the county of Southampton, enfranchised to, 26; fuel rights in respect of the above property extinguished by purchase, *ib.*

Hockliffe and Stratford Trust, account of sums received and expended by the Commissioners under the Act 3 & 4 Will 4, c. 43, from 5th January 1835–1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, *ib.*

Holyhead Harbour, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 34, 35.

Holyhead Roads, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835 to 5th January 1836, 9, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills for public works and employment of the poor to the different trusts on the line of road between London and Shrewsbury, showing the dates of issue, the amount of loans, rates of interest, repayment of principal, payment of interest, fees to officers of Exchequer Loan Board, total payments, balance of principal remaining unpaid, the date to which interest has been paid, interest to 5th January 1836, and the total amounts of principal and interest remaining unpaid on that day, 9, 36, 37; account up to the 5th January 1836, of the sums advanced out of the Consolidated Fund for the improvement of the road from London to Shrewsbury, showing the payments of principal and interest made on account thereof, the balance remaining to be repaid, the amount due for interest, and the estimated amount of tolls applicable to payment of the balance, 9, 36, 37; receipts and payments for 1835, 42, 43.

Holyhead and Shrewsbury Road, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 34, 35.

Holyrood House, sums received on account of repairs of, heretofore charged on the hereditary revenue of Scotland, 42.

Houses. See *Purchase of Houses.*

Howell, John, lease of plots of ground and messuages in Wells Street, St. James's, granted to, 18.

Howth and Dublin Road, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 34, 35.

Howth Harbour, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 34, 35; receipts and payments for 1835, 42, 43.

Hughes, Jenny, widow, a piece of waste land in the New Forest, sold to, 25.

Hughes, Richard and others, lease of paving stone on Penmaenmawr Mountain, granted to, 14.

Hughes, Thomas, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Hyde Park, ordinary income of, 1836, 40; ordinary expenditure, 41.

I.

Improvements of Land, Acts passed for the improvement of lands in which the Crown's interests are concerned to 5 January 1836, 8. 27.

Improvements. See *Crown Estates.*

Incidental Expenses, sums received by the Commissioners under Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34; incidental disbursements to persons employed in the collection of land revenue, 41; incidental expenses applicable to Woods, Forests and land revenues, *ib.*

Inclosures, Acts passed for the inclosure of lands in which the Crown's interests are concerned to 5 January, 1836, 8. 27.

Income and Expenditure of *England and Wales*, statements in respect of receipt, and receipt and expenditure for the Royal Forests and Parks, and for improvements in the metropolis, in the last year, 10; account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835, to 5 January 1836, 34; account of balance of principal and interest due up to the 5th January 1836, in respect of loans advanced by the Commissioners for the issue of Exchequer Bills for public works, &c. to the different trusts on the line of road from London to Shrewsbury, 36; account of the balance of principal and interest due up to the 5th January 1836, in respect of loans advanced out of the Consolidated Fund for the improvement of the road from London to Shrewsbury, *ib.*; statement to 5 January 1836, of monies forming the New Street Fund at the Bank of England for improvements at Charing Cross and in the Strand, &c., under the Act 7 Geo. 4, c. 77, 38; state of the income and expenditure of the monies arisen from the Woods, Forests and Land Revenues of the Crown in the year ended 5 January 1836, and of other monies under the management of the Commissioners of His Majesty's Woods, &c., within the same period, 40; statement of balances in the Woods and Forests' Fund and in the hands of Receivers and other officers of His Majesty's Woods, Forests and Land Revenues within the year ended 5 January 1836, 44.

Income and Expenditure of *Ireland.* Particulars as to sales of perpetual unimprovable rents, 9; schedule thereof, 30, 31; abstract of the accounts of the collectors of the rents payable to the Crown in Ireland for the year ended 5 January 1836, 32, 33; elucidation thereof, 9; amount received for quit, Crown and composition rents, mesne profits, &c., and from fees for abolished offices, 40; salaries, allowances, &c., to Receivers and others employed in the collection of Land Revenue, including their incidental disbursements, 41.

Ingoldsby, Sir Richard and Henry, perpetual unimprovable rents for lands of, sold, 31.

Ireland, Mary, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Isle of Alderney, amount of rents, tithes, royalties and harbour dues received for, 1836, 40.

Isle of Man, certain lands belonging to the Crown in, sold, 23; amount of tithes, quit-rents and alienation fines received for, 1836, 40.

J.

James, Edward and Mary, certain encroachments from the common wastes within the lordship or manor of Southugre, in the county of Radnor, sold to, 25.

James's, St. See *St. James's.*

Jenkinstowne, perpetual unimprovable rents for lands in, sold, 30.

Jermyn Street, St. James's, lease of the corner house of the east side of Church Passage and north side of Jermyn Street granted, 16; leases of two plots of ground on the north side of Jermyn Street, with messuages thereon, granted, 18; leases of two plots of ground on the north side of Jermyn Street, with messuages thereon, numbered 63 and 64, granted, *ib.*; lease of a plot of ground at the corner of the east side of St. James's Street and north side of Jermyn Street, with a messuage thereon, granted, *ib.*; lease of a plot of ground on the north side of Jermyn Street, with a messuage, &c., N° 35, thereon, granted, 18; lease of a plot of of ground, with messuage and buildings, N° 49, on the north side of Jermyn Street, granted, 20; land tax redeemed on certain premises on the south side of, 27; on the corner house on the north side of and west side of Duke Street, *ib.*; on the corner house on the north side of, and east side of St. James's Street, *ib.*; on the second house on the north side of, *ib.*

John's, St. Wood. See *St. John's Wood.*

Johnstowne, perpetual unimprovable rents arising out of the tithes of, sold, 30.

Jones, Daniel, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Jones, David, certain encroachments from the common wastes within the lordship or manor of Knighton, in the county of Radnor, sold to, 25.

Jones, John, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24, 25.

Jones, Nathan, certain encroachments from the common wastes within the lordship or manor of Southugre in the county of Radnor, sold to, 25.

Jones, Rowland John, parcel of land in the Isle of Man, sold to, 23.

Jones, Thomas, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24; certain encroachments from the common waste within the lordship or manor of Knighton, in the county of Radnor, sold to, 25.

K.

Kells, Barony, perpetual unimprovable rents for lands in, sold, 31.

Kelly, Mary, widow, lease of certain premises in the town of Newmarket granted to, 14.

Kemmis, William, perpetual unimprovable rents sold to, 31.

Kensington Gardens, ordinary income of, 1836, 40; ordinary expenditure, 41.

Kent, County of, certain lands belonging to the Crown in, sold, 23.

Kerry and Cork, Counties of, further payment on account of expense of opening an improved line of communication between the counties of, 43.

Kevill, William, perpetual unimprovable rents for land in Oxmantowne, formerly in his possession, sold, 31.

Kew Gardens, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Kilcomragh, perpetual unimprovable rents for four yearly fairs and a weekly market at the town and lands of, 31.

Kildare, County, perpetual unimprovable rents for lands in, sold, 30, 31.

Killkenny-begg, perpetual unimprovable rents for lands in the east part of Kilkenny-begg, sold, 30.

Killaney, Little, perpetual unimprovable rents for lands in, sold, 31.

Killcannon, perpetual unimprovable rents for lands in, sold, 31.

Killcollman, perpetual unimprovable rents for lands of, sold, 31.

Killmore, perpetual unimprovable rents for lands in, sold, 30.

King's Private Roads, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Kingston, John, Lord, perpetual unimprovable rents for lands of, sold, 31.

Knight, Thomas, certain land, part of Teddington estate, Warwick, sold to, 23.

Knighton, certain encroachments from the common wastes in the lordship or manor of Knighton, in the county of Radnor, sold, 25.

Knucklas, certain encroachments from the common wastes in the lordship or manor of Knucklas in the county of Radnor, sold, 25.

L.

Lanark, sheriffdom of, lease of tithes of certain lands in the barony parish of Glasgow and sheriffdom of Lanark, granted, 9, 32.

Land Revenue, payments charged on the Land Revenue, by Act 3 & 4 Will. c. 86. 41.

Land Revenues, Scotland, Act to amend the Acts relating to the Hereditary Land Revenues of the Crown in Scotland, 27.

Land Tax Redeemed; statements relative to Land Tax redeemed up to 5 January 1836, 7, 27.

Land Tax, amount paid for redemption of, 1835, 41.

Land Revenue in Wales, particulars relative to proceedings taken with regard to, 5.

Langham Place, lease of a plot of ground on the east side of Langham Place, St. Mary-le-bone, with messuage N° 5 thereon, granted, 20.

Law Charges, sums received by the Commissioners under Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34; charges received on the preparation of of Crown leases and conveyances, 1836, 40; law charges and expenses incurred in investigating defending and maintaining the rights of the Crown, 41.

Lawley, Sir Francis, bart., lease of plots of ground and messuages in Wells Street, St. James, granted on his nomination, 18.

Lead Mines, lease of lead mines in Yorkshire, granted, 20.

Leamen, Thomas, lease of a plot of ground and messuage, being the corner house of Piccadilly and Church Passage, granted to, 16.

Leasehold Rents, produce of, in England and Wales, 1836, 40.

Leases, made in the preceding year; annual report, 3; schedule thereof, 14–21; charges received on the preparation of Crown leases and conveyances, 1836, 40; repayment of monies advanced for fees on dockets of assignments of Crown leases, *ib.* See also *Under Leases.*

Leinster,

Leinster, the Most noble Augustus Frederick, duke of, perpetual unimprovable rents for the late preaching-house at Athy, sold to, 31.

Lemon Tree Public House, land tax redeemed, on the Lemon Tree Public House and stable-yard, situated at the north end of the west side of the Haymarket, 27.

Light Dues, produce of light dues, &c., not included in Receiver's accounts, 1836, 40.

Light-houses, arrangements made with regard to the interests of the Hereditary Revenue in certain light-houses ceasing on and after the 1st January 1837, 11.

Lighting, Watching, &c., receipts and payments for, 42.

Limerick, City of, perpetual unimprovable rents for lands in, sold, 30.

Limerick County, perpetual unimprovable rents for lands in, sold, 31.

Limerick, Liberties of, perpetual unimprovable rents for lands in, sold, 30.

Lincoln, John, lease of a plot of ground and messuages in St. James's Street and Little Ryder Street, granted to, 14.

Lincoln, the Right honourable Henry Pelham Fynes Pelham, Earl of, lease of a piece of ground on the south side of Pall Mall, with a messuage thereon intended for the Carlton Club-house, granted to, 16.

Lincolnshire, lease of an allotment set out to the Crown under an Act of Geo. IV. for the embankment and improvement of Nene Outfall, called Sutton Wash, granted, 14.

Lismaynaine, perpetual unimprovable rents for lands in, sold, 30.

Little Killaney, perpetual unimprovable rents for lands in, sold, 31.

Little Newtowne, perpetual unimprovable rents for lands of, sold, 31.

Little Ormes Head, leases of the sea beach from Penmaenrhos to Little Ormes Head, granted, 14.

Little Ryder Street, St. James's, lease of a plot of ground and messuages, N^os^ 1, 2 & 3, on the north side of Little Ryder Street, St. James's, granted, 14.

Little St. John's Wood Estate, arrangements made, for the sale of Little St. John's Wood estate, in the county of Middlesex, 5.

Llandwyw Parish, lease of a slate quarry and other property in this parish, granted, 14.

Llanelltydd Parish, lease of a slate quarry and other property in this parish, granted, 14.

Llaurysted Parish, allotment of land awarded to the Crown under Act for inclosing this parish, sold, 24.

London, Corporation of, fee farm rents for messuages, &c., in Great Bell Alley, Coleman Street, London, sold to, 26.

Long Acre, exchange of ground on the west side of Bow Street, Long Acre, for ground on the west side of Bow Street and north side of Hart Street, including the back premises of N° 45, Hart Street, 29.

Long, Thomas, certain copyhold lands held of the manor of Richmond, in the county of Surrey, enfranchised to, 26.

Lord Conway. See *Conway*.

Lord Kingston. See *Kingston*.

Lord Redesdale. See *Redesdale*.

Lord Spencer. See *Spencer*.

Lord Wenlock. See *Wenlock*.

Lower Ormonde Barony, perpetual unimprovable rents for lands in, sold, 30.

Lowndes, Thomas, certain lands, part of Stapleford Abbotts estate, Essex, sold to, 23.

Lyndhurst Manor, certain copyhold premises held of the Manor of Lyndhurst, in the county of Southampton, enfranchised, 26; fuel rights in respect of certain property held of the said manor extinguished by purchase, *ib.*

M.

M'Bean, James, freehold messuage or dwelling-house, situated on the south side of the Castle Hill at Windsor, formerly in his occupation, purchased, 28.

M'Kay, Daniel, perpetual unimprovable rents for lands sold to, 30.

Magoery, perpetual unimprovable rents for lands in, sold, 30.

Man, Isle of, certain lands belonging to the Crown in, sold, 23; amount of tithes, quit-rents and alienation fines received for 1836, 40.

Manning, Charles John, underlease granted by, to George Cornell, esq., on the nomination of the Commissioners of Woods, Forests, &c. of ground floor, N° 3, New Bank Buildings, London, 3, 22.

Manod Mountain, lease of slate quarries within certain part of Manod Mountain, Merioneth, granted, 14.

Manor Shore Estate, grant in perpetuity of a parcel of land, part of the Manor Shore estate, Yorkshire, to be appropriated as a national school, 7, 27.

Manors, profits of manors, &c., in England and Wales, 1836, 40.

Marine Policies, underlease of Ground Floor, N° 3, New Bank Buildings, granted for the sale of stamps on sea policies, 3, 22.

Markets, perpetual unimprovable rents for a weekly market at the town and lands of Kilcomragh and Annestowne, sold, 31.

Marquis of Salisbury, See *Salisbury*.

Martins, St., See *St. Martin's*.

Mary-le-bone, St. Parish, lease of a plot of ground and messuage, N° 5 Langham Place, granted, 20.

Mary-le-bone Park, lease of ground and messuages thereon, granted, 20.

Mason, William, exchange by the Crown of ground on the west side of Bow Street, Long Acre, with stables, &c., and 500*l.* for equalizing the exchange with William Mason for ground on the west side of Bow Street and north side of Hart Street, including the back premises, N° 45, Hart Street, 29.

Materials, Old, produce of the sale of old materials, 1836, 40.

Materials, produce of the sale of materials in store, 42.

Maudlins, perpetual unimprovable rents arising out of the castle and certain lands in the town of Naas and Maudlins, and other property, sold, 30.

Meary, Thady, perpetual unimprovable rents for lands of, sold, 30.

Meath County, perpetual unimprovable rents for lands in, sold, 30, 31.

Meikle Cowcaddens, lease of tithes of certain lands in, granted, 32; date and particulars of last lease, 9, 33.

Menai Bridge, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4. c. 43, from 5 January 1835–1836, 34, 35.

Meopham Woods, ordinary income of, 40; ordinary expenditure, 41.

Merionethshire, lease of certain slate quarries and other property therein, granted, 14.

Mesne Profits, amount received for mesne profits in Ireland, 1836, 40.

Mews, lease of a plot of ground on the south side of a mews or stable yard, formed on part of the site of Carlton Palace, with stable, offices and buildings, granted, 18.

Middlesex, arrangements made for the sale of Twickenham Manor in, 4; also for the sale of Little St. John's Wood estate in, 5; leases of premises in St. James's, granted, 14–20; lease of a messuage, N° 23, Essex Street, Strand, granted, 18; of land and premises in Mary-le-bone Park estate, granted, 20; land-tax redeemed on certain estates belonging to the Crown in, 27.

Middlethird Barony, perpetual unimprovable rents for lands in, sold, 30, 31.

Mill Field, a certain parcel of land called the Mill Field, at Castletown, Isle of Man, sold, 23.

Milman, Francis Miles, freehold messuage or dwelling house, situated on the south side of the Castle Hill, Windsor, now in his occupation, purchased, 28.

Mims South, and St. Alban's Trust, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4. c. 43, from 5 January 1835–1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Mines, lease of lead mines in Yorkshire granted, 20; profits of mines, &c., in England and Wales, 1836, 40.

Miscellaneous Income, amount of miscellaneous income, 1836, 40; expenditure, 41.

Molesworth, Caroline, lease of N° 23, Essex Street, Strand, granted by, 22.

Molesworth, Dame Treby Caroline, widow, lease of N° 23, Essex Street, Strand, granted by, 22.

Molesworth, Rev. William, clerk, lease of N° 23, Essex Street, Strand, granted by, 22.

Morgan, William, leases of two plots of ground on the north side of Jermyn Street, with messuages thereon, N^os 63 & 64, granted to, 18.

Morley, Francis, lease of lead mines in Yorkshire granted to, 20.

Munday, John, jun., certain pieces of waste land in the New Forest, sold to, 25.

N.

Naas Barony, perpetual unimprovable rents for lands in, sold, 30.

Naas Town, perpetual unimprovable rents arising out of the castle and lands in the town of Naas and Maudlins, and other property, sold, 30.

Narney, John, perpetual unimprovable rents for premises in St. Stephen's Street, Dublin, sold to, 30.

Narragh, Barony, perpetual unimprovable rents for lands in, sold, 31.

National School, Yorkshire, grant in perpetuity of a parcel of land, part of the Manor Shore estate, to be appropriated as a National School, 27.

Nene Outfall, lease of an allotment of land set out to the Crown under Act for embankment of Nene Outfall, granted, 14.

Nether Newton, lease of tithes of certain lands in, granted, 32; date and particulars of last lease, 9, 33.

Newark, Manor, arrangements made for the sale of the manor of Newark, in the county of Nottingham, 4.

New Bank Buildings, underlease of ground floor and appurtenances of N°. 3, New Bank Buildings, London, granted to the Commissioners of Woods, &c., 3, 22.

Newcastle, Barony, perpetual unimprovable rents for lands in, sold, 31.

Newcastle, Duke of, period of his lease in certain houses in Newark, arranged to be sold, 4.

New Forest, certain pieces of waste land in the New Forest, sold, 25; ordinary income of, 1836, 40; ordinary expenditure of, 41.

New Park, ordinary income of, 1836, 40; ordinary expenditure of, 41.

New Street Act, house on the North side of Pall Mall, wanted for the purposes of the New Street Act, given up by Col. Stanley on having a lease of N°. 5, Langham Place granted to him, 20, 21.

New Street Fund, statement to the 5 January 1836, of the receipt and expenditure of monies forming the New Street Fund, at the Bank of England, on account of improvements at Charing Cross, the Strand, &c., under Act 7 Geo. 4. c. 77, 38; amount transferred to the New Street Fund at the Bank of England, for the purposes of Act 7 Geo. 4. c. 77, being the produce of sales of estates, 43.

New Street, from the Strand to Charles Street, Covent Garden, piece of ground at the north east corner of York Street, and the New Street from the Strand to Charles Street, Covent Garden, sold under the authority of Act 1 & 2 Will. 4. c. 29, 29.

Newmarket, lease of certain premises in the town of Newmarket, granted, 14.

Newton Nether, lease of tithes of certain lands in, granted, 9, 32.

Newtowne Little, perpetual unimprovable rents for lands in, sold, 31.

Noble, John, freehold property in Tavistock Street and York Street, Covent Garden, conveyed to the Crown, subject to lease to him, 29.

Norfolk, county of, lease of the manor and demesne land of East Dereham, granted, 20.

Northfleet Estate, certain lands, part of the Northfleet estate, Kent, sold, 23.

Nottinghamshire, arrangements made for the sale of Newark Manor in, 4.

Nurse, William Mountford, lease of a plot of ground and messuage, No°. 5, Langham Place, granted to, 20; lease of a plot of ground on the east side of St. Martin's Place, and south side of Chandos Street, with a messuage, shops, and buildings thereon, granted to, 28.

O.

Offices, abolished, amount of fees from abolished offices in Ireland, 40; compensations upon the abolition or regulation of office, 41.

Old Court, perpetual unimprovable rents for lands of, sold, 31.

Old Materials, produce of the sales of old materials, 1836, 40.

Ormes Head, Little, lease of the sea beach from Penmaenrhos to Little Ormes Head, granted, 14.

Ormonde Barony, Upper and Lower, perpetual unimprovable rents for lands in, sold, 30.

Otridge, John, lease of premises in Tavistock Street, and York Street, Covent Garden, purchased of him, 29.

Owen, Edward, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Owen, William, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Oxford, fee farm rents for lands in, sold, 26.

Oxmantowne, perpetual unimprovable rents for six acres of land in, sold, 31.

P.

Painters' Court, Bury Street, St. James's, lease of a plot of ground, with a messuage, &c., on the West side of Painters' Court, Bury Street, St. James's, granted, 18.

Palaces. See *Royal Palaces and Gardens.*

Pall Mall, lease of two plots of ground with messuages, being the third and second houses on the north side of Pall Mall, eastward from John Street, granted, 14; lease of a piece of ground on the south side of Pall Mall, with a messuage thereon, intended for the Carlton Club-house, granted, 16; house on the north side

side of, occupied by Colonel Stanley, wanted for the purposes of the New Street Act, and given up by him on having a lease of N° 5 Langham Place, 20; lease of a plot of ground at the corner of Cockspur Street and Pall Mall, with the messuage N° 13 in Cockspur Street thereon, granted under the authority of Act 7 Geo. 4, c. 77, 28.

Palliser, John, perpetual unimprovable rents for lands of, sold, 31.

Palliser, the Reverend John Bury, perpetual unimprovable rents sold to, 31.

Parkhurst Forest, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Park Keepers, balances in the hands of, 5 January 1835, 40; on 5 January 1836, 43.

Parks, statement as to income and expenditure, 10; schedule thereof, 40, 41; the herbage in a state of improvement from the effect of drainage, 10.

Parliamentary Fees, sums received by the Commissioners under Act 3 & 4 Will. 4, c. 43 from 5 January 1835–1836, 34; amount paid for, 1836, 41.

Paving Stone, lease of paving stone, &c., on part of the Crown waste on Penmaenmawr Mountain, granted, 14.

Peard, Henry H., perpetual unimprovable rents sold to, 30.

Peck, Samuel, fee farm rents for lands in Haughley, Suffolk, sold to, 26.

Peisley, Bartholomew, perpetual unimprovable rents for lands of, sold, 31.

Penmaenmawr Mountain, lease of paving stone on, granted, 14.

Penmaenrhos, lease of the sea beach from Penmaenrhos to little Ormes Head, granted, 14.

Pepperstowne, perpetual unimprovable rents for lands in, sold, 30.

Perpetual unimprovable Rents in Ireland, amount sold from 5 January 1835 and 5 January 1836, 9; schedule thereof, specifying the dates of the conveyances, the names of the purchasers, the amount of the consideration-monies, and other particulars relating thereto, 30, 31.

Perpetuity, particulars relative to a grant in perpetuity of the Manor Shore estate in the county of York, 7, 27.

Phillips, John Henry, fee farm rents for lands called Glyw-y-Marle in the county of Carmarthen, sold, 26.

Phœnix Park, Dublin, ordinary income of, 1836, 40; ordinary expenditure of, 41; payment on account of improvements commenced by the Commissioners of Woods, &c., in Phœnix Park Dublin, 43.

Piccadilly, leases of plots of ground and messuages thereon in Church Passage Piccadilly, granted, 16; lease of a plot of ground with a messuage, being the corner house of the side of Piccadilly and east side of Church Passage, granted, *ib.*; lease of three plots of ground with messuages, being the second house on the south side of Piccadilly, eastward from Church Passage, the third house on the east side of Church Passage, northward from Jermyn Street, and the corner house of the east side of Church Passage, and north side of Jermyn Street, granted, *ib.*

Pine, Sir Richard, perpetual unimprovable rents for lands of, sold, 30.

Pobble O'Keeffe, further payments on account of the expense of forming a road, &c., through the Crown estate of Pobble O'Keeffe in the county of Cork, 43.

Poles, Martin, assignee of, perpetual unimprovable rents for lands of, sold, 31.

Policies, Sea, underlease of ground floor N° 3 New Bank Buildings, granted for the sale of stamps on sea policies, 3, 22.

Pope, William, perpetual unimprovable rents for lands of, sold, 30.

Portland Ferry, Act for making and maintaining a bridge over the river called "The Portland Ferry," in the county of Dorset, with proper approaches thereto, 27.

Powell, William, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale in the county of Denbigh, sold to, 25.

Prichard, Benjamin, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale in the county of Denbigh, sold to, 24.

Prichard, John, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Priestowne, perpetual unimprovable rents for lands in sold, 31.

Private Roads, the King's, ordinary income of, 1836, 40; ordinary expenditure, 41.

Profits, produce of profits of mines, manors, &c., in England and Wales, 1836, 40.

Public Auction, extent of property sold by, to 5 January 1836, 3; amount of purchase money, *ib.*; schedule thereof, 23.

Public Works and Buildings, extraordinary receipts and expenditure for 1835–1836, 42, 43.

Pugh, Lewis, and others, lease of slate quarry and other property in the parishes of Llandwyw and Llanelltydd, Merioneth, granted to, 14.

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Regent's Park, lease of a piece of ground with buildings, as a curtilage to an adjoining villa residence in the north-western part of the Regent's Park, granted, 20; lease of a plot of ground, with a messuage and other buildings thereon, in the southern part of the Regent's Park, granted, *ib.*; ordinary income of, 1836, 40; ordinary expenditure, 41.

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Richmond Park, ordinary income of, 1836, 30; ordinary expenditure, 41.

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Roberts, Thomas, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale in the county of Denbigh, sold to, 24.

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Roebuck, Lands of, Dublin County, repayment of deposits on sale of the Crown's reversionary interest in these lands, deducted from receipts on sale of estates in Ireland, 42.

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Ryder Street, Great, St. James's, lease of a plot of ground, with coach-houses, stabling, &c., thereon, on the south side of Great Ryder Street, St. James's, granted, 16.

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Saint Albans and South Mims Trust, account of sums received and expended by the commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835, 1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Saint Edmund's Farm, Suffolk, lease of this farm granted, 20.

Saint James's Parish, lease of a plot of ground, messuages, and buildings, numbered 25, 24, 23, on the east side of St. James's Street, granted, 14; lease of a plot of ground, messuage and buildings, numbered 26, on the east side of St. James's Street, granted, *ib.*; lease of two plots of ground, with messuages, being the third and second houses on the north side of Pall Mall, eastward from John Street, granted, *ib.*; leases of plots of ground and messuages in Church Passage, Piccadilly, granted, 16; leases of plots of ground and messuages on the south side of Piccadilly, granted, *ib.*; lease of a plot of ground, with coach-houses, stabling, &c., on the south side of Great Ryder Street, granted, *ib.*; lease of a piece of ground and messuage on the north side of Whitehall Place, granted, *ib.*; lease of a piece of ground and messuage on the south side of Pall Mall, intended for the Carlton Club-house, granted, *ib.*; leases of plots of ground and messuages on the north side of Jermyn Street, granted, 18; lease of a plot of ground and messuage at the corner of the east side of St. James's Street and north side of Jermyn Street, granted, *ib.*; lease of a plot of ground on the south side of a mews or stable-yard formed on part of the site of Carlton Palace, with sundry stable offices and other buildings, granted, *ib.*; leases of pieces of ground and messuages on the west side of Bury Street, granted, *ib.*; lease of a plot of ground and messuage on the west side of Painter's Court, Bury Street, granted, *ib.*; lease of a plot of ground and messuage on the north side of Jermyn Street, granted, *ib.*; lease of two plots of ground and messuages on the east side of Wells Street, granted, *ib.*; lease of a plot of ground and messuage on the north side of Jermyn Street, granted, 20; land-tax redeemed on six messuages situated together on the south side of Jermyn Street, west side of Bury Street, and east end of Crown and Sceptre Court, St. James's, 27; on the corner house of the north side of Jermyn Street and west side of Duke Street, and the house next northward thereto, on the west side of Duke Street, St. James's, *ib.*; on a house and back building on the east side of St. James's Street, *ib.*; on the corner house on the north side of Jermyn Street and the east side of St. James's Street, and the house next northward thereto on the east side of St. James's Street, *ib.*; on the second house on the north side of Jermyn Street, westward from Duke Street, St. James's, *ib.*

Saint James's Park, ordinary income of, 1836, 40; ordinary expenditure, 41; payments on account of the King's palace in, 43.

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Saint John's Wood Estate, Little, arrangement made for the sale of Little St. John's Wood estate, in the county of Middlesex, 5.

Saint Martin's Place, lease of a plot of ground on the east side of St. Martin's Place and south side of Chandos Street, with a messuage, shops, and buildings thereon, granted under authority of Act 7 Geo. 4, c. 77, 28.

Saint Mary-le-bone Chapels, amount received of trustees of the chapels in St. Mary-le-bone belonging to the Crown, in part repayment of monies advanced for repairs, 42.

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Sandys, James, perpetual unimprovable rents sold to, 31.

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Scotland Yard, Great, land tax redeemed on a piece of vacant ground on the north side of Great Scotland Yard, 27.

Scott, John Smyth, perpetual unimprovable rents sold to, 31.

Sea Beach, lease of the sea beach between high and low water-mark, extending from Penmaenrhos to Little Ormes Head, with rocks and beds of stone thereon, granted, 14.

Sea Policies, underlease of ground floor, No 3, New Bank Buildings, London, granted for the sale of stamps on sea policies, 3, 22.

Sharpus, Edward, executors of, lease of a plot of ground with messuage, N° 13, Cockspur Street, granted on their nomination, 28.

Sharpus, Thomas, lease of a plot of ground at the corner of Cockspur Street and Pall Mall, with the messuage N° 13, in Cockspur Street, thereon, granted, 28.

Shelton, William, lease of Crown allotment set out under Act for embanking Nene Outfall, granted to, 14.

Sheffnal Trust, account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest paid, 36, 37; sums advanced out of the Consolidated Fund for the improvement of the trust, *ib.*

Shipping Place, lease of three small plots of ground in the parishes of Llandwyw and Llanelltydd, to be used as a shipping place, granted, 14.

Shooter's Hill Woods, ordinary income of, 40; ordinary expenditure, 41.

Shrewsbury to Bangor Ferry Road, Act to amend and alter an Act of the 59th Geo. 3, for vesting in commissioners the line of road from Shrewsbury, in the county of Salop, to Bangor Ferry, in the county of Carnarvon, and for discharging the trustees under several Acts of the 17th, 28th, 36th, 41st, 42d, 47th and 50th years of his then present Majesty, from the future repair and maintenance thereof, and for repealing so much of the said Acts as affects the said line of road, 27.

Shrewsbury and Holyhead Roads, account of loans advanced by the Commissioners for the issue of Exchequer Bills for public works and employment of the poor, to the different trusts in the line of road between London and Shrewsbury, showing the date of issue, the amount of loans, rates of interest, repayment of principal, payment of interest, fees to officers of the Exchequer Bill Loan Board, total payments, balance of principal remaining unpaid, the date to which interest has been paid, the interest to the 5th January 1836, and the total amount of principal and interest remaining unpaid on that day, 36, 37; account up to the 5th January 1836, of the sums advanced out of the Consolidated Fund, for the improvement of the road from London to Shrewsbury, showing the payment of principal and interest made on account thereof, the balances remaining due, the amount due for interest, and the estimated amount of tolls applicable to the payment of balances, *ib.*; account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5th January 1835–1836, 34, 35.

Slate Quarries, lease of certain slate quarries in Merionethshire granted, 14.

Smith, Ralph Colley, lease of N°. 23, Essex Street, Strand, granted by 3, 22.

Smith, Richard, certain land part of Teddington Farm, Warwick, sold to, 23.

Smith, Robert, certain copyhold premises held of the manor of Richmond, in the county of Surrey, enfranchised to, 26.

Snow, John Wright, lease of plots of ground and messuages in Church Passages, Piccadilly, granted on his nomination, 16.

Sons of the Clergy, Corporation of, certain encroachments from the common wastes within the lordship or manor of Southugre, in the county of Radnor, sold to, 25.

Sotheby, John, Freehold Property in Tavistock Street and York Street, Covent Garden, conveyed to the Crown, subject to lease to him, 29.

South Mims and St. Alban's Trust, account of sums received and expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Southampton County, His Majesty's interest in Mudland, in the Southampton River, in the parishes of Dibdin and Fawley, sold, 25; certain pieces of waste land in the New Forest, sold, *ib.*

Southampton, certain copyhold premises held of the manor of Lyndhurst, enfranchised, 26.

Southampton River, His Majesty's interest in a certain parcel of Mudland, in the Southampton River, in the parishes of Dibdin and Fawley, sold, 25.

Southugre Manor, certain encroachments from the common wastes in the lordship or manor of Southugre, in the county of Radnor, sold, 25.

Spencer, Earl, expense of removing and distributing to the Royal Parks, &c., a herd of deer, presented by Lord Spencer to His Majesty, 10, 43.

Staines, Sarah, widow, lease of a plot of ground on the north-side of Jermyn Street, with a messuage, &c., N°. 35, thereon, granted to, 18.

Stamp Duties, underlease of ground floor, N°. 3, New Bank Buildings, granted for the sale of stamps on sea policies, by the commissioners of stamps, 3, 22.

Stanley, Colonel, lease of N°. 5, Langham Place, granted to him on his giving up a house on the north-side of Pall Mall, 20, 21.

Stapleford Abbotts Estate, certain lands part of Stapleford Abbotts estate, Essex, sold, 23.

Stapleford Abbotts Manor; the manor of Stapleford Abbotts, with its rights, members, and appurtenances, Essex, sold, 8, 23.

Stearne, Dr. John, Trustees of his charities, perpetual unimprovable rents sold to, 30.

Stephen's, St. See *St. Stephen's.*

Stipends, ancient stipends payable to schools, &c. 41.

Stonebridge and Dunchurch Trust, account of sums received and expended by the commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 34, 35; account of loan advanced by the Commissioners for issue of Exchequer Bills; principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, 36, 37.

Stoney, The Rev. Ralph, perpetual unimprovable rents, sold to, 30.

Strand, leasehold property purchased under Act 7 Geo. 4, c. 77, 8, schedule thereof, 28; lease of a messuage, N°. 23, Essex Street, Strand, granted, 18; lease of N°. 23, Essex Street, Strand, granted tothe Commissioners of Woods, Forests, &c. 3, 22; leasehold premises, N°. 474, Strand, purchased for the purposes of Act 7 Geo. 4, c. 77, 28; statement to the 5 January 1836, of the receipt and expenditure of monies, part of the New Street Fund, at the Bank of England, for the improvements still in progress at Charing Cross, and in the Strand under the Act 7, Geo. 4 c. 77, 38.

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Stratford and Dunchurch Trust, accounts of sums expended by the Commissioners under the Act 3 & 4 Will. 4, c. 43, from 5 January 1835–1836, 35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the Trust, *ib.*

Stratford and Hockliffe Trust, account of sums received and expended by the Commissioners under the Act, 3 & 4 Will. 4, c. 34, from 5 January 1835–1836, 34, 35; accounts of loans advanced by the Commissions for the issue of Exchequer Bills; principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust, *ib.*

Stuart, Anne, perpetual unimprovable rents for Wilson's Fort, sold, to 30.

Stuart of Logie, perpetual unimprovable rents for Wilson's Fort, sold to 30.

Suffolk, leases of Chantry Farm, and St. Edmund's Farm in, granted 20.

Suffolk, fee farm rents for lands in, sold, 26.

Summerlodge, lease of mines and veins of lead ore in the territory of Summerlodge, York, granted, 20.

Superannuations, amount paid for, 1835, 41.

Surrey, certain copyhold lands held of the manor of Richmond, in the county of Surrey, enfranchised, 26.

Surridge, Thomas, certain lands, part of Stapleford Abbotts' estate, Essex, sold to, 23.

Surtees, Mary Ann, lease of a piece of ground and messuage in Whitehall Place, granted on their nomination, 16.

Surtees, Rev. John, lease of a piece of ground and messuage in Whitehall Place, granted on his nomination, 16.

Surveyors, payments to, on account of their bills for journies, surveys, plans and other professional services, both in and out of London, 41.
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Sutherland, Duke of, sum deposited by him for the purchase of York House, out of which the repayment of Cox and Hammersley's mortgage is to be made to the Commissioners of Woods, &c., 43.

Sutton Wash, lease of allotment set out to the Crown under Act for the embankment of Nene Outfall, called Sutton Wash, granted, 14.

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Tannington Parish, Suffolk, lease of Chauntry Farm in this parish granted, 20.

Tate, Mary, His Majesty's interest in Mudland in the Southampton river, in the parishes of Dibden and Fawley, sold to, 25.

Tavistock Street, Covent Garden, arrangement between the Commissioners of Woods, Forests, &c. and the Duke of Bedford for acquiring freehold premises, N° 1, Tavistock Street, Covent Garden, for the purposes of Act 1 & 2 Will. 4, c. 29, 29.

Tawrany, Barony, perpetual unimprovable rents for lands in, sold, 30.

Taylor, Edmund, leases of plots of ground and messuages in St. James's Street and Little Ryder Street, granted on his nomination, 14.

Taylor, Philadelphia, leases of plots of ground and messuages in St. James's Street and Little Ryder Street, granted on her nomination, 14.

Teddington Farm, certain lands, part of Teddington Farm estate, Warwick, sold, 8, 23.

Theakstone, Edward, certain premises in the town of Newmarket lately escheated to the Crown, 15.

Theddington Farm, certain lands, part of Theddington Farm estate, Warwick, sold, 8, 23.

Thomas, Joseph, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

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Thomas, Robert, lease of a plot of ground at the corner of the east side of St. James's Street, and north side of Jermyn Street, with a messuage thereon, granted to, 18.

Thomas, William, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Thynne, Frederick, lease of a piece of ground and messuage in Whitehall Place, granted to, 16.

Tickell, Edward, perpetual unimprovable rents sold to, 31.

Tipper, perpetual unimprovable rents arising out of the tithes of, sold, 30.

Tipperary, County, perpetual unimprovable rents for lands in, sold, 30.

Tipperkeavan, perpetual unimprovable rents for a ruinous castle, one messuage, and certain land in, sold, 31.

Tithes, perpetual unimprovable rents arising out of the tithes of Johnstowne, Tipper and Cradockstowne, sold, 30; lease of tithes of certain lands in the barony parish of Glasgow, granted, 32; date and particulars of last case, 33; amount of tithes received in the Isle of Alderney, 1836, 40; in the Isle of Man, *ib.*

Topp, Gerald, perpetual unimprovable rents for lands of, sold, 31.

Treasury, sales made under their sanction of Stapleford Manor, Essex, and of Teddington Farm, Warwick, 4; arrangements made under their sanction for the sale of Newark Manor, Nottingham, *ib.*; directions given under their sanction for the sale of Twickenham Manor, Middlesex, *ib.*; also of Little St. John's Wood estate in the same county, 5.

Treasury Fees, amount paid for, 1836, 41.

Trench, Thomas, perpetual unimprovable rents for lands sold to, 31.

Trinity Board, statement relative to the proposed transfer of certain light-houses to the Trinity Board, 11.

Trustees of the Carlton Club, lease of a piece of ground on the south side of Pall Mall, with a messuage thereon, intended for the Carlton Club-house, granted to, 16.

Trustees of the late Bishop of Clogher's Charities, perpetual unimprovable rents sold to, 30.

Tullaghbrackoughter, perpetual unimprovable rents for the upper half of, sold, 30.

Tuterax Barony, perpetual unimprovable rents or lands in, sold, 30.

Twickenham Manor, arrangements made for the sale of Twickenham Manor in the county of Middlesex, 4.

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Underleases, underlease of certain premises in New Bank Buildings, granted to a trustee for the Crown, 3; underlease of N° 23, Essex Street, Strand, granted to a trustee for the Crown, 3; account of an underlease granted by Messrs. John Lavecount Anderdon and Charles John Manning to George Cornell, esq., (on the nomination of the Commissioners of Woods, &c.) in trust for His Majesty, of certain apartments forming parts of the messuage or tenement, N° 3, in New Bank Buildings, London, for an office for the sale of Stamp Duties on Sea Policies, by the Commissioners of Stamp Duties, 22; account of an underlease, with the sanction of the Lords of the Treasury, granted, by direction of the Commissioners of Woods, &c., to John Egan, William Waterman and William Harding Wright, of a messuage and premises, N° 23, Essex Street, Strand, 22.

Uppercross Barony, perpetual unimprovable rents for lands in, sold, 31.

Upper Ormonde Barony, perpetual unimprovable rents for lands in, sold, 30.

V.

Verulam, the Right hon. James Walter, Earl of, lease of a piece of ground on the south side of Pall Mall, with a messuage thereon, intended for the Carlton Club-house, granted to, 16.

Viscount Chelsea, See *Chelsea*.

W.

Wales, particulars relative to proceedings taken with regard to the land revenue in Wales, 5; leases of lands and premises therein granted, 14; land and premises therein sold, 24, 25; fee-farm and other unimprovable rents therein sold, 26.

Waltham Forest, ordinary income of, 40; ordinary expenditure of, 41.

Wardens, balances in the hands of, 5 January 1835, 40; on 5 January 1836, 43.

Warwickshire, certain lands belonging to the Crown in, sold, 8, 23; sale of Teddington Farm, in the county of Warwick, 4.

Waste Land, lease of paving stone, &c. within part of the Crown waste on Penmaenmawr Mountain, granted, 14; certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold, 24; certain encroachments from the common wastes within the lordships or manors of Southugre, Knighton and Knucklas, in the county of Radnor, sold, 25; certain pieces of waste land in the New Forest, sold, 25.

Waterford, County, perpetual unimprovable rents for lands in, sold, 31.

Waterloo Bridge Street Improvement; particulars as to sale under authority of Act 1 & 2 Will. 4, c. 29. 8. 29.

Waterman, William, lease of a messuage, N° 23, Essex Street, Strand, granted to, 18, 22.

Watling, James, lease of a plot of ground with messuage and buildings, N° 49 Jermyn Street, granted to, 20.

Watling Street Trust, Shiffnall District; loans advanced by the Commissioners for the issue of Exchequer Bills; principal and interest repaid, 36, 37; sums advanced out of the Consolidated Fund for the improvement of the trust, *ib.*

Wellington Trust, loans advanced by the Commissioners of Exchequer Bills to this trust, 36, 37.

Wells, Richard, lease of certain premises in the town of Newmarket, granted to, 14.

Wells Street, St. James's, lease of two plots of ground on the east side of Wells Street, St. James's, with messuages, &c. being the third and fourth houses southward from Jermyn Street, granted, 18.

Wenlock, the Right hon. Robert, Lord, executors of, lease of plots of ground and messuages in Wells Street, St. James's, granted on their nomination, 18.

Westmeath, County, perpetual unimprovable rents for lands in, sold, 31.

Weston, Charles, lease of a piece of ground and messuage in Whitehall Place, granted on his nomination, 16.

Weymes, Sir James, perpetual unimprovable rents for lands of, sold, 31.

Whichwood Forest, ordinary income of, 40; ordinary expenditure, 41.

Whiteaside, lease of mines and veins of lead ore in the territory of Whiteaside, York, granted, 20.

Whitehall Place, lease of a piece of ground on the north side of Whitehall Place, with a messuage, being the second house eastward from the avenue from Whitehall Place to Great Scotland Yard, granted, 16.

Whittlewood Forest, ordinary income of, 40; ordinary expenditure of, 41.

Wicklow, County, perpetual unimprovable rents for lands in, sold, 31.

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Williams, Jacob, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 25.

Williams, John, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Willy, Parish, Suffolk, lease of St. Edmund's, farm in this parish, granted, 20.

Wilson, Andrew, perpetual unimprovable rents for lands of, sold, 30.

Wilson, John, lease of premises in Tavistock Street and York Street, Covent Garden, purchased of him, 29.

Wilson's Fort, perpetual unimprovable rents for the manor of Wilson's Fort, with the lands and hereditaments thereunto belonging, sold, 30.

Windsor, freehold messuage or dwelling-house, situated on the south side of the Castle Hill at Windsor, formerly in the occupation of Mr. M'Bean, and now of Francis Miles Milman, esquire, purchased, 8, 28.

Windsor Forest, (Crown Allotments), ordinary income of, 1836, 40; ordinary expenditure of, 41.

Windsor Great Park, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Windsor Home Park, ordinary income of, 1836, 40; ordinary expenditure of, 41.

Winter, Thomas, lease of a plot of ground with a messuage on the west side of Painter's Court, Bury Street, granted to, 18.

Wolverhampton Trust, account of sums received and expended by the commissioners under the Act 3 & 4 Will. 4. c. 43, from 5 January 1835–1836, 34–35; account of loans advanced by the Commissioners for the issue of Exchequer Bills, principal and interest repaid, 36, 37; account of sums advanced out of the Consolidated Fund for the improvement of the trust; 36, 37.

Woods, Forests, &c., expenses of the establishment in London, 41; in Dublin, *ib.*

Woods and Forests Fund, balances of the account, being the Woods and Forests Fund, at the Bank of England, standing in the names of the Commissioners of Woods, &c., on 5 January 1835, 40; on 5 January 1836, 43; at the Bank of Ireland, on 5 January 1835, 40; on 5 January 1836, 43; at the Royal Bank of Scotland, on 5 January 1835, 40; on 5 January 1836, 43; in the hands of receivers of land revenue; on 5 January 1835, 40; on 5 Janaary 1836, 43; in the hands of Deputy Surveyors of Woods and Forests, on 5 January 1835, 40; on 5 January 1836, 43; in the hands of Rangers, Wardens, Keepers and others, on 5 January 1835, 40; on 5 January 1836, 43; amount of purchase-money received from the sale of manors, buildings, lands, &c., in England and Wales, carried to the account of, 23, 25; amount of consideration-money for the enfranchisement of copyholds, carried to, 26; amount of purchase-money for the sale of fee farm rents, carried to, *ib.*

See also *Commissioners of Woods, Forests*, &c.

Woodside, lease of tithes of certain land in, granted, 9, 32; date and particulars of last lease, 33.

Woolmer Forest, ordinary income of, 40; ordinary expenditure of, 41.

Woosnam, Francis, certain encroachments from the common wastes within the lordship or manor of Southugre, in the county of Radnor, sold to, 25.

Works, Public. See *Public Works*.

Wright, William Harding, lease of a messuage, N° 23, Essex Street, Strand, granted to, 18–22.

Wyatt, Walter Henry, certain lands, part of Northfleet estate, Kent, sold to, 23.

Wynn, Thomas, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Wynne, Sir W. W., Bart., certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold to, 24.

Y.

Yale, Manor, certain encroachments from the common wastes within the lordship or manor of Bromfield and Yale, in the county of Denbigh, sold, 24, 25.

York, the most Reverend Edward Lord Archbishop and others, grant to, in perpetuity of a parcel of land part of the Manor Shore estate, Yorkshire, to be appropriated as a national school, 27.

York County, lease of lead mines therein, granted, 20.

Yorkshire, grant in perpetuity of a parcel of land and buildings, part of the Manor Shore estate, to be appropriated as a national school, 27.

York House, amount paid to Messrs. Cox & Hammersley, in discharge of their mortgage on York House, 43.

York Street, Covent Garden, piece of ground at the north-east corner of York Street, and the New Street from the Strand to Charles Street, Covent Garden, sold, under the authority of Act 1 & 2 Will. 4. c. 29, 29; arrangement for acquiring freehold premises N°s 9 & 10, York Street, Covent Garden, 29.